

Senate Study Bill 3297

SENATE/HOUSE FILE \_\_\_\_\_
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
JOINT APPROPRIATIONS
SUBCOMMITTEE ON HEALTH AND
HUMAN SERVICES)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to and making appropriations for health and human
2 services and including other related provisions and
3 appropriations, making penalties applicable and providing
4 effective, retroactive, and applicability date provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 5002JB 82
7 pf/jp/14

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1 1 DIVISION I
1 2 GENERAL FUND AND BLOCK GRANT APPROPRIATIONS
1 3 ELDER AFFAIRS
1 4 Section 1. DEPARTMENT OF ELDER AFFAIRS. There is
1 5 appropriated from the general fund of the state to the
1 6 department of elder affairs for the fiscal year beginning July
1 7 1, 2008, and ending June 30, 2009, the following amount, or so
1 8 much thereof as is necessary, to be used for the purposes
1 9 designated:
1 10 For aging programs for the department of elder affairs and
1 11 area agencies on aging to provide citizens of Iowa who are 60
1 12 years of age and older with case management for the frail
1 13 elderly only if the monthly cost per client for case
1 14 management for the frail elderly services provided does not
1 15 exceed an average of \$70, resident advocate committee
1 16 coordination, employment, and other services which may include
1 17 but are not limited to adult day services, respite care, chore
1 18 services, telephone reassurance, information and assistance,
1 19 and home repair services, and for the construction of entrance
1 20 ramps which make residences accessible to the physically
1 21 handicapped, and for salaries, support, administration,
1 22 maintenance, and miscellaneous purposes, and for not more than
1 23 the following full-time equivalent positions:
1 24 ..... \$ 4,851,698
1 25 ..... FTEs 40.50
1 26 1. Funds appropriated in this section may be used to
1 27 supplement federal funds under federal regulations. To
1 28 receive funds appropriated in this section, a local area
1 29 agency on aging shall match the funds with moneys from other
1 30 sources according to rules adopted by the department. Funds
1 31 appropriated in this section may be used for elderly services
1 32 not specifically enumerated in this section only if approved
1 33 by an area agency on aging for provision of the service within
1 34 the area.
1 35 2. Of the funds appropriated in this section, \$2,788,223
2 1 shall be used for case management for the frail elderly. Of
2 2 the funds allocated in this subsection, \$1,385,015 shall be
2 3 transferred to the department of human services in equal
2 4 amounts on a quarterly basis for reimbursement of case
2 5 management services provided under the medical assistance
2 6 elderly waiver. The department of human services shall adopt
2 7 rules for case management services provided under the medical
2 8 assistance elderly waiver in consultation with the department
2 9 of elder affairs. The monthly cost per client for case
2 10 management for the frail elderly services provided shall not
2 11 exceed an average of \$70.
2 12 3. Of the funds appropriated in this section, \$200,198
2 13 shall be transferred to the department of economic development
2 14 for the Iowa commission on volunteer services to be used for

2 15 the retired and senior volunteer program.  
2 16 4. Of the funds appropriated in this section, \$130,000  
2 17 shall be used to continue to fund additional long-term care  
2 18 resident's advocate positions.

2 19 5. Of the funds appropriated in this section, \$250,000  
2 20 shall be used for continuation of the substitute decision  
2 21 maker Act pursuant to chapter 231E.

2 22 HEALTH

2 23 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. There is  
2 24 appropriated from the general fund of the state to the  
2 25 department of public health for the fiscal year beginning July  
2 26 1, 2008, and ending June 30, 2009, the following amounts, or  
2 27 so much thereof as is necessary, to be used for the purposes  
2 28 designated:

2 29 1. ADDICTIVE DISORDERS

2 30 For reducing the prevalence of use of tobacco, alcohol, and  
2 31 other drugs, and treating individuals affected by addictive  
2 32 behaviors, including gambling, and for not more than the  
2 33 following full-time equivalent positions:

2 34 ..... \$ 1,532,149  
2 35 ..... FTEs 6.00

3 1 The requirement of section 123.53, subsection 3, is met by  
3 2 the appropriations made in this Act for purposes of addictive  
3 3 disorders for the fiscal year beginning July 1, 2008.

3 4 2. HEALTHY CHILDREN AND FAMILIES

3 5 For promoting the optimum health status for children,  
3 6 adolescents from birth through 21 years of age, and families,  
3 7 and for not more than the following full-time equivalent  
3 8 positions:

3 9 ..... \$ 2,536,913  
3 10 ..... FTEs 16.00

3 11 a. Of the funds appropriated in this subsection, not more  
3 12 than \$645,917 shall be used for the healthy opportunities to  
3 13 experience success (HOPEs)=healthy families Iowa (HFI) program  
3 14 established pursuant to section 135.106. The department shall  
3 15 transfer the funding allocated for the HOPEs=HFI program to  
3 16 the Iowa empowerment board for distribution and shall assist  
3 17 the board in managing the contracting for the funding. The  
3 18 funding shall be distributed to renew the grants that were  
3 19 provided to the grantees that operated the program during the  
3 20 fiscal year ending June 30, 2008.

3 21 b. Of the funds appropriated in this subsection, \$325,000  
3 22 shall be used to continue to address the healthy mental  
3 23 development of children from birth through five years of age  
3 24 through local evidence-based strategies that engage both the  
3 25 public and private sectors in promoting healthy development,  
3 26 prevention, and treatment for children.

3 27 c. Of the funds appropriated in this subsection, \$100,000  
3 28 is allocated for distribution to the children's hospital of  
3 29 Iowa mother's milk bank.

3 30 d. Of the funds appropriated in this subsection, \$40,000  
3 31 shall be distributed to a statewide dental carrier to provide  
3 32 funds to continue the donated dental services program  
3 33 patterned after the projects developed by the national  
3 34 foundation of dentistry for the handicapped to provide dental  
3 35 services to indigent elderly and disabled individuals.

4 1 3. CHRONIC CONDITIONS

4 2 For serving individuals identified as having chronic  
4 3 conditions or special health care needs, and for not more than  
4 4 the following full-time equivalent positions:

4 5 ..... \$ 2,242,840  
4 6 ..... FTEs 5.00

4 7 a. Of the funds appropriated in this subsection, \$100,000  
4 8 shall be used for grants to individual patients who have  
4 9 phenylketonuria (PKU) to assist with the costs of necessary  
4 10 special foods.

4 11 b. Of the funds appropriated in this subsection, \$500,000  
4 12 is allocated for contracts for resource facilitator services  
4 13 in accordance with section 135.22B, subsection 10, and for  
4 14 brain injury training services and recruiting of service  
4 15 providers to increase the capacity within this state to  
4 16 address the needs of individuals with brain injuries and such  
4 17 individuals' families.

4 18 4. COMMUNITY CAPACITY

4 19 For strengthening the health care delivery system at the  
4 20 local level, and for not more than the following full-time  
4 21 equivalent positions:

4 22 ..... \$ 1,760,532  
4 23 ..... FTEs 12.00

4 24 a. Of the funds appropriated in this subsection, \$100,000  
4 25 is allocated for a child vision screening program implemented

4 26 through the university of Iowa hospitals and clinics in  
4 27 collaboration with community empowerment areas.

4 28 b. Of the funds appropriated in this subsection, \$159,700  
4 29 is allocated for an initiative implemented at the university  
4 30 of Iowa and \$140,300 is allocated for an initiative at the  
4 31 state mental health institute at Cherokee to expand and  
4 32 improve the workforce engaged in mental health treatment and  
4 33 services. The initiatives shall receive input from the  
4 34 university of Iowa, the department of human services, the  
4 35 department of public health, and the mental health, mental  
5 1 retardation, developmental disabilities, and brain injury  
5 2 commission to address the focus of the initiatives. The  
5 3 department of human services, the department of public health,  
5 4 and the commission shall receive regular updates concerning  
5 5 the status of the initiatives.

5 6 5. ELDERLY WELLNESS  
5 7 For promotion of healthy aging and optimization of the  
5 8 health of older adults:  
5 9 ..... \$ 9,233,985

5 10 6. ENVIRONMENTAL HAZARDS  
5 11 For reducing the public's exposure to hazards in the  
5 12 environment, primarily chemical hazards, and for not more than  
5 13 the following full-time equivalent positions:  
5 14 ..... \$ 747,960  
5 15 ..... FTEs 2.00

5 16 a. Of the funds appropriated in this subsection, \$100,000  
5 17 shall be used to fund the position of a bureau chief for the  
5 18 center for acute disease epidemiology (CADE).

5 19 b. Of the funds appropriated in this subsection, \$121,000  
5 20 shall be used for childhood lead poisoning provisions pursuant  
5 21 to sections 135.102 and 135.103.

5 22 7. INFECTIOUS DISEASES  
5 23 For reducing the incidence and prevalence of communicable  
5 24 diseases, and for not more than the following full-time  
5 25 equivalent positions:  
5 26 ..... \$ 1,701,974  
5 27 ..... FTEs 7.00

5 28 Of the funds appropriated in this subsection, an increase  
5 29 of \$43,688 is provided for the purchasing of vaccines for  
5 30 immunizations.

5 31 8. PUBLIC PROTECTION  
5 32 For protecting the health and safety of the public through  
5 33 establishing standards and enforcing regulations, and for not  
5 34 more than the following full-time equivalent positions:  
5 35 ..... \$ 2,798,513  
6 1 ..... FTEs 128.00

6 2 a. Of the funds appropriated in this subsection, \$643,500  
6 3 shall be credited to the emergency medical services fund  
6 4 created in section 135.25. Moneys in the emergency medical  
6 5 services fund are appropriated to the department to be used  
6 6 for the purposes of the fund.

6 7 b. Of the funds appropriated in this subsection, \$23,810  
6 8 shall be used for the office of the state medical examiner.

6 9 c. Of the funds appropriated in this subsection, \$150,000  
6 10 shall be used for management of the antiviral stockpile.

6 11 d. Of the funds appropriated in this subsection, \$100,000  
6 12 shall be used for sexual violence prevention programming  
6 13 through a statewide organization representing programs serving  
6 14 victims of sexual violence through the department's sexual  
6 15 violence prevention program. The amount allocated in this  
6 16 paragraph "d" shall not be used to supplant funding  
6 17 administered for other sexual violence prevention or victims  
6 18 assistance programs.

6 19 e. The department may incur expenses for start-up costs to  
6 20 implement licensing of plumbers and mechanical professionals  
6 21 in accordance with 2007 Iowa Acts, chapter 198, provided the  
6 22 amounts expended are covered by the close of the fiscal year  
6 23 through the repayment receipts from license fees.

6 24 9. RESOURCE MANAGEMENT  
6 25 For establishing and sustaining the overall ability of the  
6 26 department to deliver services to the public, and for not more  
6 27 than the following full-time equivalent positions:  
6 28 ..... \$ 1,205,933  
6 29 ..... FTEs 10.00

6 30 Of the funds appropriated in this subsection, \$150,150  
6 31 shall be used for administration of tobacco-related programs.  
6 32 The university of Iowa hospitals and clinics under the  
6 33 control of the state board of regents shall not receive  
6 34 indirect costs from the funds appropriated in this section.  
6 35 The university of Iowa hospitals and clinics billings to the  
7 1 department shall be on at least a quarterly basis.

7 2 Sec. 3. GAMBLING TREATMENT FUND == APPROPRIATION.

7 3 1. In lieu of the appropriation made in section 135.150,  
7 4 subsection 1, there is appropriated from funds available in  
7 5 the gambling treatment fund created in section 135.150 to the  
7 6 department of public health for the fiscal year beginning July  
7 7 1, 2008, and ending June 30, 2009, the following amount, or so  
7 8 much thereof as is necessary, to be used for the purposes  
7 9 designated:

7 10 To be utilized for the benefit of persons with addictive  
7 11 disorders:

7 12 ..... \$ 4,678,000

7 13 a. It is the intent of the general assembly that from the  
7 14 moneys appropriated in this subsection persons with a dual  
7 15 diagnosis of substance abuse and gambling addictions shall be  
7 16 given priority in treatment services. The amount appropriated  
7 17 in this subsection includes moneys credited to the fund in  
7 18 previous fiscal years.

7 19 b. Of the funds appropriated in this subsection, \$613,000  
7 20 shall be used for tobacco use prevention, cessation, and  
7 21 treatment.

7 22 2. The amount remaining in the gambling treatment fund  
7 23 after the appropriation made in subsection 1 is appropriated  
7 24 to the department to be used for funding of administrative  
7 25 costs and to provide programs which may include but are not  
7 26 limited to outpatient and follow-up treatment for persons  
7 27 affected by problem gambling, rehabilitation and residential  
7 28 treatment programs, information and referral services,  
7 29 education and preventive services, and financial management  
7 30 services. Of the amount appropriated in this subsection, up  
7 31 to \$100,000 may be used for the licensing of gambling  
7 32 treatment programs as provided in section 135.150.

7 33 DEPARTMENT OF VETERANS AFFAIRS

7 34 Sec. 4. DEPARTMENT OF VETERANS AFFAIRS. There is  
7 35 appropriated from the general fund of the state to the  
8 1 department of veterans affairs for the fiscal year beginning  
8 2 July 1, 2008, and ending June 30, 2009, the following amounts,  
8 3 or so much thereof as is necessary, to be used for the  
8 4 purposes designated:

8 5 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

8 6 For salaries, support, maintenance, and miscellaneous  
8 7 purposes, including the war orphans educational assistance  
8 8 fund created in section 35.8, and for not more than the  
8 9 following full-time equivalent positions:

8 10 ..... \$ 1,163,457  
8 11 ..... FTEs 17.20

8 12 Of the amount appropriated in this subsection, \$50,000 is  
8 13 allocated for continuation of the veterans counseling program  
8 14 established pursuant to section 35.12.

8 15 2. IOWA VETERANS HOME

8 16 For salaries, support, maintenance, and miscellaneous  
8 17 purposes, and for not more than the following full-time  
8 18 equivalent positions:

8 19 ..... \$ 12,694,154  
8 20 ..... FTEs 951.95

8 21 The Iowa veterans home billings involving the department of  
8 22 human services shall be submitted to the department on at  
8 23 least a monthly basis.

8 24 If there is a change in the employer of employees providing  
8 25 services at the Iowa veterans home under a collective  
8 26 bargaining agreement, such employees and the agreement shall  
8 27 be continued by the successor employer as though there had not  
8 28 been a change in employer.

8 29 3. COUNTY GRANT PROGRAM FOR VETERANS

8 30 For providing grants to counties to provide services to  
8 31 living veterans:

8 32 ..... \$ 600,000

8 33 The department shall establish or continue a grant  
8 34 application process and shall require each county applying for  
8 35 a grant to submit a plan for utilizing the grant for providing  
9 1 services for living veterans. The maximum grant to be awarded  
9 2 to a county shall be \$10,000. Each county receiving a grant  
9 3 shall submit a report to the department identifying the impact  
9 4 of the grant on providing services to veterans as specified by  
9 5 the department. The department shall submit a report to the  
9 6 general assembly by October 1, 2008, concerning the impact of  
9 7 the grant program on services to veterans.

9 8 Notwithstanding section 8.33, moneys appropriated in this  
9 9 subsection that remain unencumbered or unobligated at the  
9 10 close of the fiscal year shall not revert to the fund from  
9 11 which appropriated but shall be credited to the veterans trust  
9 12 fund.

9 13 4. STATE EDUCATIONAL ASSISTANCE == CHILDREN OF DECEASED  
9 14 VETERANS  
9 15 For provision of educational assistance pursuant to section  
9 16 35.9:  
9 17 ..... \$ 27,000  
9 18 HUMAN SERVICES

9 19 Sec. 5. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK  
9 20 GRANT. There is appropriated from the fund created in section  
9 21 8.41 to the department of human services for the fiscal year  
9 22 beginning July 1, 2008, and ending June 30, 2009, from moneys  
9 23 received under the federal temporary assistance for needy  
9 24 families (TANF) block grant pursuant to the federal Personal  
9 25 Responsibility and Work Opportunity Reconciliation Act of  
9 26 1996, Pub. L. No. 104=193, and successor legislation, which  
9 27 are federally appropriated for the federal fiscal years  
9 28 beginning October 1, 2007, and ending September 30, 2008, and  
9 29 beginning October 1, 2008, and ending September 30, 2009, the  
9 30 following amounts, or so much thereof as is necessary, to be  
9 31 used for the purposes designated:

9 32 1. To be credited to the family investment program account  
9 33 and used for assistance under the family investment program  
9 34 under chapter 239B:  
9 35 ..... \$ 26,101,513

10 1 2. To be credited to the family investment program account  
10 2 and used for the job opportunities and basic skills (JOBS)  
10 3 program and implementing family investment agreements in  
10 4 accordance with chapter 239B:  
10 5 ..... \$ 13,334,528

10 6 Notwithstanding section 8.33, not more than 5 percent of  
10 7 the moneys designated in this subsection that are allocated by  
10 8 the department for contracted services, other than family  
10 9 self=sufficiency grant services allocated under this  
10 10 subsection, that remain unencumbered or unobligated at the  
10 11 close of the fiscal year shall not revert but shall remain  
10 12 available for expenditure for the purposes designated until  
10 13 the close of the succeeding fiscal year. However, unless such  
10 14 moneys are encumbered or obligated on or before September 30,  
10 15 2009, the moneys shall revert.

10 16 3. To be used for the family development and  
10 17 self=sufficiency grant program as provided under section  
10 18 217.12 and this division of this Act:  
10 19 ..... \$ 2,998,675

10 20 4. For field operations:  
10 21 ..... \$ 17,707,495

10 22 It is the intent of the general assembly that the  
10 23 department work with Indian tribes providing services under  
10 24 the federal Temporary Assistance for Needy Families block  
10 25 grant to Indians who reside in Iowa but live outside the  
10 26 reservation to establish a formula for providing match funding  
10 27 for the expenditures made by the tribes for such services.  
10 28 The department shall provide recommendations regarding  
10 29 implementation of the formula beginning in FY 2009=2010 to the  
10 30 governor and the persons designated by this Act to receive  
10 31 reports. For the purposes of this paragraph, "Indian",  
10 32 "reservation", and "Indian tribe" mean the same as defined in  
10 33 section 232B.3.

10 34 5. For general administration:  
10 35 ..... \$ 3,744,000

11 1 6. For local administrative costs:  
11 2 ..... \$ 2,189,830

11 3 7. For state child care assistance:  
11 4 ..... \$ 27,886,177

11 5 a. Of the funds appropriated in this subsection, \$200,000  
11 6 shall be used for provision of educational opportunities to  
11 7 registered child care home providers in order to improve  
11 8 services and programs offered by this category of providers  
11 9 and to increase the number of providers. The department may  
11 10 contract with institutions of higher education or child care  
11 11 resource and referral centers to provide the educational  
11 12 opportunities. Allowable administrative costs under the  
11 13 contracts shall not exceed 5 percent. The application for a  
11 14 grant shall not exceed two pages in length.

11 15 b. The funds appropriated in this subsection shall be  
11 16 transferred to the child care and development block grant  
11 17 appropriation.

11 18 c. Of the funds appropriated in this subsection,  
11 19 \$18,986,177 shall be transferred to the child care and  
11 20 development block grant appropriation made for the federal  
11 21 fiscal year beginning October 1, 2008, and ending September  
11 22 30, 2009.

11 23 d. Any funds appropriated in this subsection remaining

11 24 unallocated shall be used for state child care assistance  
11 25 payments for individuals enrolled in the family investment  
11 26 program who are employed.

11 27 8. For mental health and developmental disabilities  
11 28 community services:

11 29 ..... \$ 4,894,052

11 30 9. For child and family services:

11 31 ..... \$ 32,084,430

11 32 10. For child abuse prevention grants:

11 33 ..... \$ 250,000

11 34 11. For pregnancy prevention grants on the condition that  
11 35 family planning services are funded:

12 1 ..... \$ 1,930,067

12 2 Pregnancy prevention grants shall be awarded to programs in  
12 3 existence on or before July 1, 2008, if the programs are  
12 4 comprehensive in scope and have demonstrated positive  
12 5 outcomes. Grants shall be awarded to pregnancy prevention  
12 6 programs which are developed after July 1, 2008, if the  
12 7 programs are comprehensive in scope and are based on existing  
12 8 models that have demonstrated positive outcomes. Grants shall  
12 9 comply with the requirements provided in 1997 Iowa Acts,  
12 10 chapter 208, section 14, subsections 1 and 2, including the  
12 11 requirement that grant programs must emphasize sexual  
12 12 abstinence. Priority in the awarding of grants shall be given  
12 13 to programs that serve areas of the state which demonstrate  
12 14 the highest percentage of unplanned pregnancies of females of  
12 15 childbearing age within the geographic area to be served by  
12 16 the grant.

12 17 12. For technology needs and other resources necessary to  
12 18 meet federal welfare reform reporting, tracking, and case  
12 19 management requirements:

12 20 ..... \$ 1,037,186

12 21 13. For the healthy opportunities for parents to  
12 22 experience success (HOPEs) program administered by the  
12 23 department of public health to target child abuse prevention:

12 24 ..... \$ 200,000

12 25 14. To be credited to the state child care assistance  
12 26 appropriation made in this section to be used for funding of  
12 27 community-based early childhood programs targeted to children  
12 28 from birth through five years of age developed by community  
12 29 empowerment areas as provided in section 28.9:

12 30 ..... \$ 7,350,000

12 31 The department shall transfer TANF block grant funding  
12 32 appropriated and allocated in this subsection to the child  
12 33 care and development block grant appropriation in accordance  
12 34 with federal law as necessary to comply with the provisions of  
12 35 this subsection.

13 1 15. For a pilot program established in one or more  
13 2 judicial districts, selected by the department and the  
13 3 judicial council, to provide employment and support services  
13 4 to delinquent child support obligors as an alternative to  
13 5 commitment to jail as punishment for contempt of court:

13 6 ..... \$ 200,000

13 7 Of the amounts appropriated in this section, \$12,962,008  
13 8 for the fiscal year beginning July 1, 2008, shall be  
13 9 transferred to the appropriation of the federal social  
13 10 services block grant for that fiscal year.

13 11 The department may transfer funds allocated in this section  
13 12 to the appropriations in this Act for general administration  
13 13 and field operations for resources necessary to implement and  
13 14 operate the services referred to in this section and those  
13 15 funded in the appropriation made in this division of this Act  
13 16 for the family investment program from the general fund of the  
13 17 state.

13 18 Sec. 6. FAMILY INVESTMENT PROGRAM ACCOUNT.

13 19 1. Moneys credited to the family investment program (FIP)  
13 20 account for the fiscal year beginning July 1, 2008, and ending  
13 21 June 30, 2009, shall be used to provide assistance in  
13 22 accordance with chapter 239B.

13 23 2. The department may use a portion of the moneys credited  
13 24 to the FIP account under this section as necessary for  
13 25 salaries, support, maintenance, and miscellaneous purposes.

13 26 3. The department may transfer funds allocated in this  
13 27 section to the appropriations in this Act for general  
13 28 administration and field operations for resources necessary to  
13 29 implement and operate the services referred to in this section  
13 30 and those funded in the appropriation made in this division of  
13 31 this Act for the family investment program from the general  
13 32 fund of the state.

13 33 4. Moneys appropriated in this division of this Act and  
13 34 credited to the FIP account for the fiscal year beginning July

13 35 1, 2008, and ending June 30, 2009, are allocated as follows:  
14 1 a. To be retained by the department of human services to  
14 2 be used for coordinating with the department of human rights  
14 3 to more effectively serve participants in the FIP program and  
14 4 other shared clients and to meet federal reporting  
14 5 requirements under the federal temporary assistance for needy  
14 6 families block grant:  
14 7 ..... \$ 20,000  
14 8 b. To the department of human rights for staffing,  
14 9 administration, and implementation of the family development  
14 10 and self-sufficiency grant program as provided under section  
14 11 217.12:  
14 12 ..... \$ 5,563,042  
14 13 (1) Of the funds allocated for the family development and  
14 14 self-sufficiency grant program in this lettered paragraph, not  
14 15 more than 5 percent of the funds shall be used for the  
14 16 administration of the grant program.  
14 17 (2) The department of human rights may continue to  
14 18 implement the family development and self-sufficiency grant  
14 19 program statewide during fiscal year 2008=2009.  
14 20 (3) The department of human rights is responsible for  
14 21 complying with all federal temporary assistance for needy  
14 22 families block grant requirements with respect to the funds  
14 23 allocated in this lettered paragraph and for any federal  
14 24 penalty that may result from a failure to meet the  
14 25 requirements. These responsibilities include but are not  
14 26 limited to ensuring that all expenditures of federal block  
14 27 grant and state maintenance of effort funds are appropriate  
14 28 and allowable in accordance with federal requirements and meet  
14 29 federal work participation requirements with respect to the  
14 30 population receiving benefits or services under the family  
14 31 development and self-sufficiency grant program that are  
14 32 subject to work requirements.  
14 33 (4) With the allocation of funding for the family  
14 34 development and self-sufficiency grant program directly to the  
14 35 department of human rights in lieu of allocation through the  
15 1 department of human services, the department of human rights  
15 2 shall assume all responsibility for the grant program. The  
15 3 responsibility includes identifying and addressing  
15 4 implementation of any revisions in state law or administrative  
15 5 rule needed to effect this change, including but not limited  
15 6 to identifying any amendments needed to section 217.12.  
15 7 (5) The department of human rights shall provide the  
15 8 department of human services with information necessary for  
15 9 compliance with federal temporary assistance for needy  
15 10 families block grant state plan and reporting requirements,  
15 11 including but not limited to financial and data reports.  
15 12 c. For the diversion subaccount of the FIP account:  
15 13 ..... \$ 2,814,000  
15 14 (1) A portion of the moneys allocated for the subaccount  
15 15 may be used for field operations salaries, data management  
15 16 system development, and implementation costs and support  
15 17 deemed necessary by the director of human services in order to  
15 18 administer the FIP diversion program.  
15 19 (2) Of the funds allocated in this lettered paragraph, not  
15 20 more than \$250,000 shall be used to develop or continue  
15 21 community-level parental obligation pilot projects. The  
15 22 requirements established under 2001 Iowa Acts, chapter 191,  
15 23 section 3, subsection 5, paragraph "c", subparagraph (3),  
15 24 shall remain applicable to the parental obligation pilot  
15 25 projects for fiscal year 2008=2009. Notwithstanding 441 IAC  
15 26 100.8, providing for termination of rules relating to the  
15 27 pilot projects the earlier of October 1, 2006, or when  
15 28 legislative authority is discontinued, the rules relating to  
15 29 the pilot projects shall remain in effect until June 30, 2009.  
15 30 d. For continuation of the program to provide transitional  
15 31 benefits to families with members who are employed at the time  
15 32 the family leaves the family investment program in accordance  
15 33 with section 239B.11A:  
15 34 ..... \$ 2,000,000  
15 35 e. For the food stamp employment and training program:  
16 1 ..... \$ 68,059  
16 2 f. For the JOBS program:  
16 3 ..... \$ 22,310,116  
16 4 5. Of the child support collections assigned under FIP, an  
16 5 amount equal to the federal share of support collections shall  
16 6 be credited to the child support recovery appropriation. Of  
16 7 the remainder of the assigned child support collections  
16 8 received by the child support recovery unit, a portion shall  
16 9 be credited to the FIP account, a portion may be used to  
16 10 increase recoveries, and a portion may be used to sustain cash

16 11 flow in the child support payments account. If as a result  
16 12 the appropriations allocated in this section are insufficient  
16 13 to sustain cash assistance payments and meet federal  
16 14 maintenance of effort requirements, the department shall seek  
16 15 supplemental funding. If child support collections assigned  
16 16 under FIP are greater than estimated or are otherwise  
16 17 determined not to be required for maintenance of effort, the  
16 18 state share of either amount may be transferred to or retained  
16 19 in the child support payment account.

16 20 6. The department may adopt emergency rules for the family  
16 21 investment, JOBS, family development and self-sufficiency  
16 22 grant, food stamp, and medical assistance programs if  
16 23 necessary to comply with federal requirements.

16 24 Sec. 7. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is  
16 25 appropriated from the general fund of the state to the  
16 26 department of human services for the fiscal year beginning  
16 27 July 1, 2008, and ending June 30, 2009, the following amount,  
16 28 or so much thereof as is necessary, to be used for the purpose  
16 29 designated:

16 30 To be credited to the family investment program (FIP)  
16 31 account and used for family investment program assistance  
16 32 under chapter 239B:

16 33 ..... \$ 42,675,127

16 34 1. Of the funds appropriated in this section, \$8,975,588  
16 35 is allocated for the JOBS program.

17 1 2. Of the funds appropriated in this section, \$2,584,367  
17 2 is allocated for the family development and self-sufficiency  
17 3 grant program as provided under section 217.12 and this  
17 4 division of this Act. The department of human rights shall  
17 5 ensure that the expenditures of moneys allocated from the  
17 6 general fund of the state pursuant to this subsection are  
17 7 eligible to be considered as state maintenance of effort  
17 8 expenditures under federal temporary assistance for needy  
17 9 families block grant requirements.

17 10 3. a. Of the funds appropriated in this section, \$250,000  
17 11 shall be used for a grant to an Iowa-based nonprofit  
17 12 organization with a history of providing tax preparation  
17 13 assistance to low-income Iowans in order to expand the usage  
17 14 of the earned income tax credit. The purpose of the grant is  
17 15 to supply this assistance to underserved areas of the state.  
17 16 The grant shall be provided to an organization that has  
17 17 existing national foundation support for supplying such  
17 18 assistance that can also secure local charitable match  
17 19 funding.

17 20 b. The general assembly supports efforts by the  
17 21 organization receiving funding under this subsection to create  
17 22 a statewide earned income tax credit and asset-building  
17 23 coalition to achieve both of the following purposes:

17 24 (1) Expanding the usage of the tax credit through new and  
17 25 enhanced outreach and marketing strategies, as well as  
17 26 identifying new local sites and human and financial resources.

17 27 (2) Assessing and recommending various strategies for  
17 28 Iowans to develop assets through savings, individual  
17 29 development accounts, financial literacy, antipredatory  
17 30 lending initiatives, informed home ownership, use of various  
17 31 forms of support for work, and microenterprise business  
17 32 development targeted to persons who are self-employed or have  
17 33 fewer than five employees.

17 34 4. Notwithstanding section 8.39, for the fiscal year  
17 35 beginning July 1, 2008, if necessary to meet federal  
18 1 maintenance of effort requirements or to transfer federal  
18 2 temporary assistance for needy families block grant funding to  
18 3 be used for purposes of the federal social services block  
18 4 grant or to meet cash flow needs resulting from delays in  
18 5 receiving federal funding or to implement, in accordance with  
18 6 this division of this Act, activities currently funded with  
18 7 juvenile court services, county, or community moneys and state  
18 8 moneys used in combination with such moneys, the department of  
18 9 human services may transfer funds within or between any of the  
18 10 appropriations made in this division of this Act and  
18 11 appropriations in law for the federal social services block  
18 12 grant to the department for the following purposes, provided  
18 13 that the combined amount of state and federal temporary  
18 14 assistance for needy families block grant funding for each  
18 15 appropriation remains the same before and after the transfer:

18 16 a. For the family investment program.

18 17 b. For child care assistance.

18 18 c. For child and family services.

18 19 d. For field operations.

18 20 e. For general administration.

18 21 f. MH/MR/DD/BI community services (local purchase).

18 22 This subsection shall not be construed to prohibit the use  
18 23 of existing state transfer authority for other purposes. The  
18 24 department shall report any transfers made pursuant to this  
18 25 subsection to the legislative services agency.

18 26 Sec. 8. CHILD SUPPORT RECOVERY. There is appropriated  
18 27 from the general fund of the state to the department of human  
18 28 services for the fiscal year beginning July 1, 2008, and  
18 29 ending June 30, 2009, the following amount, or so much thereof  
18 30 as is necessary, to be used for the purposes designated:

18 31 For child support recovery, including salaries, support,  
18 32 maintenance, and miscellaneous purposes, and for not more than  
18 33 the following full-time equivalent positions:

18 34 ..... \$ 14,951,757  
18 35 ..... FTEs 515.00

19 1 1. The department shall expend up to \$31,000, including  
19 2 federal financial participation, for the fiscal year beginning  
19 3 July 1, 2008, for a child support public awareness campaign.  
19 4 The department and the office of the attorney general shall  
19 5 cooperate in continuation of the campaign. The public  
19 6 awareness campaign shall emphasize, through a variety of media  
19 7 activities, the importance of maximum involvement of both  
19 8 parents in the lives of their children as well as the  
19 9 importance of payment of child support obligations.

19 10 2. Federal access and visitation grant moneys shall be  
19 11 issued directly to private not-for-profit agencies that  
19 12 provide services designed to increase compliance with the  
19 13 child access provisions of court orders, including but not  
19 14 limited to neutral visitation sites and mediation services.

19 15 3. The appropriation made to the department for child  
19 16 support recovery may be used throughout the fiscal year in the  
19 17 manner necessary for purposes of cash flow management, and for  
19 18 cash flow management purposes the department may temporarily  
19 19 draw more than the amount appropriated, provided the amount  
19 20 appropriated is not exceeded at the close of the fiscal year.

19 21 Sec. 9. MEDICAL ASSISTANCE. There is appropriated from  
19 22 the general fund of the state to the department of human  
19 23 services for the fiscal year beginning July 1, 2008, and  
19 24 ending June 30, 2009, the following amount, or so much thereof  
19 25 as is necessary, to be used for the purpose designated:

19 26 For medical assistance reimbursement and associated costs  
19 27 as specifically provided in the reimbursement methodologies in  
19 28 effect on June 30, 2008, except as otherwise expressly  
19 29 authorized by law, including reimbursement for abortion  
19 30 services which shall be available under the medical assistance  
19 31 program only for those abortions which are medically  
19 32 necessary:

19 33 ..... \$646,745,853

19 34 1. Medically necessary abortions are those performed under  
19 35 any of the following conditions:

20 1 a. The attending physician certifies that continuing the  
20 2 pregnancy would endanger the life of the pregnant woman.

20 3 b. The attending physician certifies that the fetus is  
20 4 physically deformed, mentally deficient, or afflicted with a  
20 5 congenital illness.

20 6 c. The pregnancy is the result of a rape which is reported  
20 7 within 45 days of the incident to a law enforcement agency or  
20 8 public or private health agency which may include a family  
20 9 physician.

20 10 d. The pregnancy is the result of incest which is reported  
20 11 within 150 days of the incident to a law enforcement agency or  
20 12 public or private health agency which may include a family  
20 13 physician.

20 14 e. Any spontaneous abortion, commonly known as a  
20 15 miscarriage, if not all of the products of conception are  
20 16 expelled.

20 17 2. The department shall utilize not more than \$60,000 of  
20 18 the funds appropriated in this section to continue the  
20 19 AIDS/HIV health insurance premium payment program as  
20 20 established in 1992 Iowa Acts, Second Extraordinary Session,  
20 21 chapter 1001, section 409, subsection 6. Of the funds  
20 22 allocated in this subsection, not more than \$5,000 may be  
20 23 expended for administrative purposes.

20 24 3. Of the funds appropriated in this Act to the department  
20 25 of public health for addictive disorders, \$950,000 for the  
20 26 fiscal year beginning July 1, 2008, shall be transferred to  
20 27 the department of human services for an integrated substance  
20 28 abuse managed care system. The department shall not assume  
20 29 management of the substance abuse system in place of the  
20 30 managed care contractor unless such a change in approach is  
20 31 specifically authorized in law. The departments of human  
20 32 services and public health shall work together to maintain the

20 33 level of mental health and substance abuse services provided  
20 34 by the managed care contractor through the Iowa plan for  
20 35 behavioral health. Each department shall take the steps  
21 1 necessary to continue the federal waivers as necessary to  
21 2 maintain the level of services.

21 3 4. a. The department shall aggressively pursue options  
21 4 for providing medical assistance or other assistance to  
21 5 individuals with special needs who become ineligible to  
21 6 continue receiving services under the early and periodic  
21 7 screening, diagnosis, and treatment program under the medical  
21 8 assistance program due to becoming 21 years of age who have  
21 9 been approved for additional assistance through the  
21 10 department's exception to policy provisions, but who have  
21 11 health care needs in excess of the funding available through  
21 12 the exception to policy provisions.

21 13 b. Of the funds appropriated in this section, \$100,000  
21 14 shall be used for participation in one or more pilot projects  
21 15 operated by a private provider to allow the individual or  
21 16 individuals to receive service in the community in accordance  
21 17 with principles established in *Olmstead v. L.C.*, 527 U.S. 581  
21 18 (1999), for the purpose of providing medical assistance or  
21 19 other assistance to individuals with special needs who become  
21 20 ineligible to continue receiving services under the early and  
21 21 periodic screening, diagnosis, and treatment program under the  
21 22 medical assistance program due to becoming 21 years of age who  
21 23 have been approved for additional assistance through the  
21 24 department's exception to policy provisions, but who have  
21 25 health care needs in excess of the funding available through  
21 26 the exception to the policy provisions.

21 27 5. Of the funds appropriated in this section, up to  
21 28 \$3,050,082 may be transferred to the field operations or  
21 29 general administration appropriations in this Act for  
21 30 operational costs associated with Part D of the federal  
21 31 Medicare Prescription Drug, Improvement, and Modernization Act  
21 32 of 2003, Pub. L. No. 108-173.

21 33 6. In addition to any other funds appropriated in this  
21 34 Act, of the funds appropriated in this section, \$250,000 shall  
21 35 be used for the grant to the Iowa healthcare collaborative as  
22 1 defined in section 135.40.

22 2 7. Of the funds appropriated in this section, a portion  
22 3 shall be used to enhance outreach efforts. The department may  
22 4 transfer funds allocated in this subsection to the  
22 5 appropriations in this division of this Act for general  
22 6 administration, the state children's health insurance program,  
22 7 or medical contracts, as necessary, to implement the outreach  
22 8 efforts.

22 9 8. Of the funds appropriated in this section, up to  
22 10 \$442,100 may be transferred to the appropriation in this Act  
22 11 for medical contracts to be used for clinical assessment  
22 12 services related to remedial services in accordance with  
22 13 federal law.

22 14 9. Of the funds appropriated in this section, \$1,143,522  
22 15 may be used for the demonstration to maintain independence and  
22 16 employment (DMIE) if the waiver for DMIE is approved by the  
22 17 centers for Medicare and Medicaid services of the United  
22 18 States department of health and human services. Additionally,  
22 19 if the waiver is approved, \$440,000 of the funds shall be  
22 20 transferred to the department of corrections for DMIE  
22 21 activities.

22 22 10. The drug utilization review commission shall monitor  
22 23 the smoking cessation benefit provided under the medical  
22 24 assistance program and shall provide a report of utilization,  
22 25 client success, cost-effectiveness, and recommendations for  
22 26 any changes in the benefit to the persons designated in this  
22 27 Act to receive reports by January 15, 2009. If a prescriber  
22 28 determines that all smoking cessation aids on the preferred  
22 29 drug list are not effective or medically appropriate for a  
22 30 patient, the prescriber may apply for an exception to policy  
22 31 for another product approved by the United States food and  
22 32 drug administration for smoking cessation pursuant to 441 IAC  
22 33 1.8(1).

22 34 11. A portion of the funds appropriated in this section  
22 35 may be transferred to the appropriations in this division of  
23 1 this Act for general administration, medical contracts, the  
23 2 state children's health insurance program, or field operations  
23 3 to be used for the state match cost to comply with the payment  
23 4 error rate measurement (PERM) program for both the medical  
23 5 assistance and state children's health insurance programs as  
23 6 developed by the centers for Medicare and Medicaid services of  
23 7 the United States department of health and human services to  
23 8 comply with the federal Improper Payments Information Act of

23 9 2002, Pub. L. No. 107=300.

23 10 12. It is the intent of the general assembly that the  
23 11 department implement the recommendations of the assuring  
23 12 better child health and development initiative II (ABCDII)  
23 13 clinical panel to the Iowa early and periodic screening,  
23 14 diagnostic, and treatment services healthy mental development  
23 15 collaborative board regarding changes to billing procedures,  
23 16 codes, and eligible service providers.

23 17 13. Of the funds appropriated in this section, a  
23 18 sufficient amount is allocated to supplement the incomes of  
23 19 residents of nursing facilities, intermediate care facilities  
23 20 for persons with mental illness, and intermediate care  
23 21 facilities for persons with mental retardation, with incomes  
23 22 of less than \$50 in the amount necessary for the residents to  
23 23 receive a personal needs allowance of \$50 per month pursuant  
23 24 to section 249A.30A.

23 25 14. Of the funds appropriated in this section, the  
23 26 following amounts shall be transferred to appropriations made  
23 27 in this division of this Act to the state mental health  
23 28 institutes:

- 23 29 a. Cherokee mental health institute ..... \$ 5,933,659
- 23 30 b. Clarinda mental health institute ..... \$ 1,289,526
- 23 31 c. Independence mental health institute ..... \$ 5,899,400
- 23 32 d. Mount Pleasant mental health institute .... \$ 3,751,626

23 33 15. a. Of the funds appropriated in this section,  
23 34 \$2,797,719 is allocated for state match for disproportionate  
23 35 share hospital payment of \$7,321,954 to hospitals that meet  
24 1 both of the following conditions:

- 24 2 (1) The hospital qualifies for disproportionate share and
- 24 3 graduate medical education payments.
- 24 4 (2) The hospital is an Iowa state-owned hospital with more
- 24 5 than 500 beds and eight or more distinct residency specialty
- 24 6 or subspecialty programs recognized by the American college of
- 24 7 graduate medical education.

24 8 b. Distribution of the disproportionate share payment  
24 9 shall be made on a monthly basis. The total amount of  
24 10 disproportionate share payments including graduate medical  
24 11 education, enhanced disproportionate share, and Iowa  
24 12 state-owned teaching hospital payments shall not exceed the  
24 13 amount of the state's allotment under Pub. L. No. 102=234. In  
24 14 addition, the total amount of all disproportionate share  
24 15 payments shall not exceed the hospital-specific  
24 16 disproportionate share limits under Pub. L. No. 103=66.

24 17 16. Of the funds appropriated in this section, \$250,000  
24 18 shall be used for the Iowa chronic care consortium pursuant to  
24 19 2003 Iowa Acts, chapter 112, section 12, as amended by 2003  
24 20 Iowa Acts, chapter 179, sections 166 and 167.

24 21 17. The department shall implement cost-saving initiatives  
24 22 including implementing a surcharge for claims filed on paper  
24 23 when electronic filing is available and collecting a  
24 24 supplemental rebate for diabetic supplies.

24 25 18. One hundred percent of the nonfederal share of payments  
24 26 to area education agencies that are medical assistance  
24 27 providers for medical assistance-covered services provided to  
24 28 medical assistance-covered children, shall be made from the  
24 29 appropriation made in this section.

24 30 Sec. 10. HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. There  
24 31 is appropriated from the general fund of the state to the  
24 32 department of human services for the fiscal year beginning  
24 33 July 1, 2008, and ending June 30, 2009, the following amount,  
24 34 or so much thereof as is necessary, to be used for the purpose  
24 35 designated:

- 25 1 For administration of the health insurance premium payment
- 25 2 program, including salaries, support, maintenance, and
- 25 3 miscellaneous purposes, and for not more than the following
- 25 4 full-time equivalent positions:
- 25 5 ..... \$ 566,338
- 25 6 ..... FTEs 21.00

25 7 Sec. 11. MEDICAL CONTRACTS. There is appropriated from  
25 8 the general fund of the state to the department of human  
25 9 services for the fiscal year beginning July 1, 2008, and  
25 10 ending June 30, 2009, the following amount, or so much thereof  
25 11 as is necessary, to be used for the purpose designated:

- 25 12 For medical contracts, including salaries, support,
- 25 13 maintenance, and miscellaneous purposes, and for not more than
- 25 14 the following full-time equivalent positions:
- 25 15 ..... \$ 14,546,616
- 25 16 ..... FTEs 6.00

25 17 1. Of the funds appropriated in this section, \$50,000  
25 18 shall be used for electronic cross-matching with state vital  
25 19 records databases through the department of public health.

25 20 2. Of the funds appropriated in this section, \$250,000  
25 21 shall be used for monitoring of home and community-based  
25 22 services waivers.

25 23 Sec. 12. STATE SUPPLEMENTARY ASSISTANCE.

25 24 1. There is appropriated from the general fund of the  
25 25 state to the department of human services for the fiscal year  
25 26 beginning July 1, 2008, and ending June 30, 2009, the  
25 27 following amount, or so much thereof as is necessary, to be  
25 28 used for the purpose designated:

25 29 For the state supplementary assistance program:

25 30 ..... \$ 18,310,335

25 31 2. The department shall increase the personal needs  
25 32 allowance for residents of residential care facilities by the  
25 33 same percentage and at the same time as federal supplemental  
25 34 security income and federal social security benefits are  
25 35 increased due to a recognized increase in the cost of living.  
26 1 The department may adopt emergency rules to implement this  
26 2 subsection.

26 3 3. If during the fiscal year beginning July 1, 2008, the  
26 4 department projects that state supplementary assistance  
26 5 expenditures for a calendar year will not meet the federal  
26 6 pass-through requirement specified in Title XVI of the federal  
26 7 Social Security Act, section 1618, as codified in 42 U.S.C. }  
26 8 1382g, the department may take actions including but not  
26 9 limited to increasing the personal needs allowance for  
26 10 residential care facility residents and making programmatic  
26 11 adjustments or upward adjustments of the residential care  
26 12 facility or in-home health-related care reimbursement rates  
26 13 prescribed in this division of this Act to ensure that federal  
26 14 requirements are met. In addition, the department may make  
26 15 other programmatic and rate adjustments necessary to remain  
26 16 within the amount appropriated in this section while ensuring  
26 17 compliance with federal requirements. The department may  
26 18 adopt emergency rules to implement the provisions of this  
26 19 subsection.

26 20 Sec. 13. STATE CHILDREN'S HEALTH INSURANCE PROGRAM.

26 21 1. There is appropriated from the general fund of the  
26 22 state to the department of human services for the fiscal year  
26 23 beginning July 1, 2008, and ending June 30, 2009, the  
26 24 following amount, or so much thereof as is necessary, to be  
26 25 used for the purpose designated:

26 26 For maintenance of the healthy and well kids in Iowa (hawk=  
26 27 i) program pursuant to chapter 514I for receipt of federal  
26 28 financial participation under Title XXI of the federal Social  
26 29 Security Act, which creates the state children's health  
26 30 insurance program:

26 31 ..... \$ 15,158,637

26 32 2. If sufficient funding is available under this Act, and  
26 33 if federal reauthorization of the state children's health  
26 34 insurance program provides sufficient federal allocations to  
26 35 the state and authorization to cover the following populations  
27 1 as an option under the state children's health insurance  
27 2 program, the department may expand coverage under the state  
27 3 children's health insurance program as follows:

27 4 a. By eliminating the categorical exclusion of state  
27 5 employees from receiving state children's health insurance  
27 6 program benefits.

27 7 b. By providing coverage for legal immigrant children and  
27 8 pregnant women not eligible under current federal guidelines.

27 9 c. By covering children up to age twenty-one, or up to age  
27 10 twenty-three if the child is attending school.

27 11 3. If the United States Congress does not authorize  
27 12 additional federal funds necessary to address the shortfall  
27 13 for the state children's health insurance program for the  
27 14 federal fiscal year beginning October 1, 2007, and ending  
27 15 September 30, 2008, the department may use 100 percent of  
27 16 state funds from the appropriation made in this section for  
27 17 the period beginning July 1, 2008, and ending September 30,  
27 18 2009, and may, after consultation with the governor and the  
27 19 general assembly, utilize funding from the appropriations made  
27 20 in this Act for medical assistance to maintain the state  
27 21 children's health insurance program. If deemed necessary, the  
27 22 department shall request a supplemental appropriation from the  
27 23 Eighty-third General Assembly, 2009 Session, to address any  
27 24 remaining shortfall for the fiscal year beginning July 1,  
27 25 2008.

27 26 Sec. 14. CHILD CARE ASSISTANCE. There is appropriated  
27 27 from the general fund of the state to the department of human  
27 28 services for the fiscal year beginning July 1, 2008, and  
27 29 ending June 30, 2009, the following amount, or so much thereof  
27 30 as is necessary, to be used for the purpose designated:

27 31 For child care programs:  
27 32 ..... \$ 39,298,895  
27 33 1. Of the funds appropriated in this section, \$36,043,083  
27 34 shall be used for state child care assistance in accordance  
27 35 with section 237A.13.  
28 1 2. Nothing in this section shall be construed or is  
28 2 intended as or shall imply a grant of entitlement for services  
28 3 to persons who are eligible for assistance due to an income  
28 4 level consistent with the waiting list requirements of section  
28 5 237A.13. Any state obligation to provide services pursuant to  
28 6 this section is limited to the extent of the funds  
28 7 appropriated in this section.  
28 8 3. Of the funds appropriated in this section, \$525,524 is  
28 9 allocated for the statewide program for child care resource  
28 10 and referral services under section 237A.26. A list of the  
28 11 registered and licensed child care facilities operating in the  
28 12 area served by a child care resource and referral service  
28 13 shall be made available to the families receiving state child  
28 14 care assistance in that area.  
28 15 4. Of the funds appropriated in this section, \$1,180,288  
28 16 is allocated for child care quality improvement initiatives  
28 17 including but not limited to the voluntary quality rating  
28 18 system in accordance with section 237A.30.  
28 19 5. The department may use any of the funds appropriated in  
28 20 this section as a match to obtain federal funds for use in  
28 21 expanding child care assistance and related programs. For the  
28 22 purpose of expenditures of state and federal child care  
28 23 funding, funds shall be considered obligated at the time  
28 24 expenditures are projected or are allocated to the  
28 25 department's service areas. Projections shall be based on  
28 26 current and projected caseload growth, current and projected  
28 27 provider rates, staffing requirements for eligibility  
28 28 determination and management of program requirements including  
28 29 data systems management, staffing requirements for  
28 30 administration of the program, contractual and grant  
28 31 obligations and any transfers to other state agencies, and  
28 32 obligations for decategorization or innovation projects.  
28 33 6. A portion of the state match for the federal child care  
28 34 and development block grant shall be provided as necessary to  
28 35 meet federal matching funds requirements through the state  
29 1 general fund appropriation made for child development grants  
29 2 and other programs for at-risk children in section 279.51.  
29 3 7. Of the funds appropriated in this section, \$1,200,000  
29 4 is transferred to the Iowa empowerment fund from which it is  
29 5 appropriated to be used for professional development for the  
29 6 system of early care, health, and education.  
29 7 8. Of the funds appropriated in this section, \$350,000  
29 8 shall be allocated to a county with a population of more than  
29 9 300,000 to be used for a grant to support child care center  
29 10 services provided to children with mental, physical, or  
29 11 emotional challenges in order for the children to remain in a  
29 12 home or family setting.  
29 13 9. Notwithstanding section 8.33, moneys appropriated in  
29 14 this section or received from the federal appropriations made  
29 15 for the purposes of this section that remain unencumbered or  
29 16 unobligated at the close of the fiscal year shall not revert  
29 17 to any fund but shall remain available for expenditure for the  
29 18 purposes designated until the close of the succeeding fiscal  
29 19 year.  
29 20 Sec. 15. JUVENILE INSTITUTIONS. There is appropriated  
29 21 from the general fund of the state to the department of human  
29 22 services for the fiscal year beginning July 1, 2008, and  
29 23 ending June 30, 2009, the following amounts, or so much  
29 24 thereof as is necessary, to be used for the purposes  
29 25 designated:  
29 26 1. For operation of the Iowa juvenile home at Toledo and  
29 27 for salaries, support, and maintenance, and for not more than  
29 28 the following full-time equivalent positions:  
29 29 ..... \$ 7,579,484  
29 30 ..... FTEs 126.00  
29 31 2. For operation of the state training school at Eldora  
29 32 and for salaries, support, and maintenance, and for not more  
29 33 than the following full-time equivalent positions:  
29 34 ..... \$ 11,948,327  
29 35 ..... FTEs 202.70  
30 1 3. A portion of the moneys appropriated in this section  
30 2 shall be used by the state training school and by the Iowa  
30 3 juvenile home for grants for adolescent pregnancy prevention  
30 4 activities at the institutions in the fiscal year beginning  
30 5 July 1, 2008.  
30 6 Sec. 16. CHILD AND FAMILY SERVICES.

30 7 1. There is appropriated from the general fund of the  
30 8 state to the department of human services for the fiscal year  
30 9 beginning July 1, 2008, and ending June 30, 2009, the  
30 10 following amount, or so much thereof as is necessary, to be  
30 11 used for the purpose designated:  
30 12 For child and family services:  
30 13 ..... \$ 88,546,565  
30 14 2. In order to address a reduction of \$5,200,000 from the  
30 15 amount allocated under the appropriation made for the purposes  
30 16 of this section in prior years for purposes of juvenile  
30 17 delinquent graduated sanction services, up to \$5,200,000 of  
30 18 the amount of federal temporary assistance for needy families  
30 19 block grant funding appropriated in this division of this Act  
30 20 for child and family services shall be made available for  
30 21 purposes of juvenile delinquent graduated sanction services.  
30 22 3. The department may transfer funds appropriated in this  
30 23 section as necessary to pay the nonfederal costs of services  
30 24 reimbursed under the medical assistance program or the family  
30 25 investment program which are provided to children who would  
30 26 otherwise receive services paid under the appropriation in  
30 27 this section. The department may transfer funds appropriated  
30 28 in this section to the appropriations in this division of this  
30 29 Act for general administration and for field operations for  
30 30 resources necessary to implement and operate the services  
30 31 funded in this section.  
30 32 4. a. Of the funds appropriated in this section, up to  
30 33 \$36,441,744 is allocated as the statewide expenditure target  
30 34 under section 232.143 for group foster care maintenance and  
30 35 services.  
31 1 b. If at any time after September 30, 2008, annualization  
31 2 of a service area's current expenditures indicates a service  
31 3 area is at risk of exceeding its group foster care expenditure  
31 4 target under section 232.143 by more than 5 percent, the  
31 5 department and juvenile court services shall examine all group  
31 6 foster care placements in that service area in order to  
31 7 identify those which might be appropriate for termination. In  
31 8 addition, any aftercare services believed to be needed for the  
31 9 children whose placements may be terminated shall be  
31 10 identified. The department and juvenile court services shall  
31 11 initiate action to set dispositional review hearings for the  
31 12 placements identified. In such a dispositional review  
31 13 hearing, the juvenile court shall determine whether needed  
31 14 aftercare services are available and whether termination of  
31 15 the placement is in the best interest of the child and the  
31 16 community.  
31 17 5. In accordance with the provisions of section 232.188,  
31 18 the department shall continue the child welfare and juvenile  
31 19 justice funding initiative. Of the funds appropriated in this  
31 20 section, \$2,605,000 is allocated specifically for expenditure  
31 21 through the decategorization service funding pools and  
31 22 governance boards established pursuant to section 232.188. In  
31 23 addition, up to \$1,000,000 of the amount of federal temporary  
31 24 assistance for needy families block grant funding appropriated  
31 25 in this division of this Act for child and family services  
31 26 shall be made available for purposes of the decategorization  
31 27 initiative as provided in this subsection.  
31 28 6. A portion of the funds appropriated in this section may  
31 29 be used for emergency family assistance to provide other  
31 30 resources required for a family participating in a family  
31 31 preservation or reunification project or successor project to  
31 32 stay together or to be reunified.  
31 33 7. Notwithstanding section 234.35 or any other provision  
31 34 of law to the contrary, state funding for shelter care shall  
31 35 be limited to \$7,072,215. The department shall work with the  
32 1 coalition for children and family services in Iowa and other  
32 2 representatives of shelter care providers to reduce the number  
32 3 of guaranteed shelter beds and shift a portion of available  
32 4 funding to develop new or expand existing emergency services  
32 5 for children who might otherwise be served in shelter care.  
32 6 The emergency services shall use shelter care agencies and may  
32 7 include mobile crisis response units for child and family  
32 8 crises, in-home supervision services, emergency family foster  
32 9 care homes, expanding capacity to provide emergency services  
32 10 in other family foster care homes, or provide flexible funding  
32 11 for emergency services based on evidence-based practices.  
32 12 8. Federal funds received by the state during the fiscal  
32 13 year beginning July 1, 2008, as the result of the expenditure  
32 14 of state funds appropriated during a previous state fiscal  
32 15 year for a service or activity funded under this section are  
32 16 appropriated to the department to be used as additional  
32 17 funding for services and purposes provided for under this

32 18 section. Notwithstanding section 8.33, moneys received in  
32 19 accordance with this subsection that remain unencumbered or  
32 20 unobligated at the close of the fiscal year shall not revert  
32 21 to any fund but shall remain available for the purposes  
32 22 designated until the close of the succeeding fiscal year.

32 23 9. Of the funds appropriated in this section, \$3,696,285  
32 24 shall be used for protective child care assistance.

32 25 10. a. Of the funds appropriated in this section, up to  
32 26 \$2,268,963 is allocated for the payment of the expenses of  
32 27 court-ordered services provided to juveniles who are under the  
32 28 supervision of juvenile court services, which expenses are a  
32 29 charge upon the state pursuant to section 232.141, subsection

32 30 4. Of the amount allocated in this lettered paragraph, up to  
32 31 \$1,556,287 shall be made available to provide school-based  
32 32 supervision of children adjudicated under chapter 232, of  
32 33 which not more than \$15,000 may be used for the purpose of  
32 34 training. A portion of the cost of each school-based liaison  
32 35 officer shall be paid by the school district or other funding

33 1 source as approved by the chief juvenile court officer.

33 2 b. Of the funds appropriated in this section, up to  
33 3 \$823,965 is allocated for the payment of the expenses of  
33 4 court-ordered services provided to children who are under the  
33 5 supervision of the department, which expenses are a charge  
33 6 upon the state pursuant to section 232.141, subsection 4.

33 7 c. Notwithstanding section 232.141 or any other provision  
33 8 of law to the contrary, the amounts allocated in this  
33 9 subsection shall be distributed to the judicial districts as  
33 10 determined by the state court administrator and to the  
33 11 department's service areas as determined by the administrator  
33 12 of the department's division of child and family services.  
33 13 The state court administrator and the division administrator  
33 14 shall make the determination of the distribution amounts on or  
33 15 before June 15, 2008.

33 16 d. Notwithstanding chapter 232 or any other provision of  
33 17 law to the contrary, a district or juvenile court shall not  
33 18 order any service which is a charge upon the state pursuant to  
33 19 section 232.141 if there are insufficient court-ordered  
33 20 services funds available in the district court or departmental  
33 21 service area distribution amounts to pay for the service. The  
33 22 chief juvenile court officer and the departmental service area  
33 23 manager shall encourage use of the funds allocated in this  
33 24 subsection such that there are sufficient funds to pay for all  
33 25 court-related services during the entire year. The chief  
33 26 juvenile court officers and departmental service area managers  
33 27 shall attempt to anticipate potential surpluses and shortfalls  
33 28 in the distribution amounts and shall cooperatively request  
33 29 the state court administrator or division administrator to  
33 30 transfer funds between the judicial districts' or departmental  
33 31 service areas' distribution amounts as prudent.

33 32 e. Notwithstanding any provision of law to the contrary, a  
33 33 district or juvenile court shall not order a county to pay for  
33 34 any service provided to a juvenile pursuant to an order  
33 35 entered under chapter 232 which is a charge upon the state  
34 1 under section 232.141, subsection 4.

34 2 f. Of the funds allocated in this subsection, not more  
34 3 than \$100,000 may be used by the judicial branch for  
34 4 administration of the requirements under this subsection.

34 5 11. Of the funds appropriated in this section, \$1,030,000  
34 6 shall be transferred to the department of public health to be  
34 7 used for the child protection center grant program in  
34 8 accordance with section 135.118.

34 9 12. If the department receives federal approval to  
34 10 implement a waiver under Title IV-E of the federal Social  
34 11 Security Act to enable providers to serve children who remain  
34 12 in the children's families and communities, for purposes of  
34 13 eligibility under the medical assistance program children who  
34 14 participate in the waiver shall be considered to be placed in  
34 15 foster care.

34 16 13. Of the funds appropriated in this section, \$3,072,164  
34 17 is allocated for the preparation for adult living program  
34 18 pursuant to section 234.46.

34 19 14. Of the funds appropriated in this section, \$1,030,000  
34 20 shall be used for juvenile drug courts. The amount allocated  
34 21 in this subsection shall be distributed as follows:

34 22 a. To the judicial branch for salaries to assist with the  
34 23 operation of juvenile drug court programs operated in the  
34 24 following jurisdictions:

34 25 (1) Marshall county:	
34 26 .....	\$ 61,800
34 27 (2) Woodbury county:	
34 28 .....	\$ 123,862

34 29 (3) Polk county:  
 34 30 ..... \$ 193,057  
 34 31 (4) The third judicial district:  
 34 32 ..... \$ 66,950  
 34 33 (5) The eighth judicial district:  
 34 34 ..... \$ 66,950

34 35 b. For court-ordered services to support substance abuse  
 35 1 services provided to the juveniles participating in the  
 35 2 juvenile drug court programs listed in paragraph "a" and the  
 35 3 juveniles' families:  
 35 4 ..... \$ 517,381

35 5 The state court administrator shall allocate the funding  
 35 6 designated in this paragraph among the programs.

35 7 15. Of the funds appropriated in this section, \$203,000 is  
 35 8 allocated for the multidimensional treatment level foster care  
 35 9 program established pursuant to 2006 Iowa Acts, chapter 1123.

35 10 16. Of the funds appropriated in this section, \$236,900  
 35 11 shall be used for a grant to a nonprofit human services  
 35 12 organization providing services to individuals and families in  
 35 13 multiple locations in southwest Iowa and Nebraska for support  
 35 14 of a project providing immediate, sensitive support and  
 35 15 forensic interviews, medical exams, needs assessments, and  
 35 16 referrals for victims of child abuse and their nonoffending  
 35 17 family members.

35 18 17. Of the funds appropriated in this section, \$120,000 is  
 35 19 allocated for the elevate approach of providing a support  
 35 20 network to children placed in foster care.

35 21 18. Of the funds appropriated in this section, \$300,000 is  
 35 22 allocated for sibling visitation provisions for children  
 35 23 subject to a court order for out-of-home placement in  
 35 24 accordance with section 232.108.

35 25 19. Of the funds appropriated in this section, \$200,000 is  
 35 26 allocated for use pursuant to section 235A.1 for the  
 35 27 initiative to address child sexual abuse implemented pursuant  
 35 28 to 2007 Iowa Acts, ch. 218, section 18, subsection 21.

35 29 20. Of the funds appropriated in this section, \$80,000 is  
 35 30 allocated for renewal of a grant to a county with a population  
 35 31 between 189,000 and 196,000 in the latest preceding certified  
 35 32 federal census for implementation of the county's runaway  
 35 33 treatment plan under section 232.195.

35 34 21. Of the funds appropriated in this section, \$418,000 is  
 35 35 allocated for the community partnership for child protection  
 36 1 sites.

36 2 22. Of the funds appropriated in this section, \$375,000 is  
 36 3 allocated for the department's minority youth and family  
 36 4 projects under the redesign of the child welfare system.

36 5 23. Of the funds appropriated in this section, \$300,000 is  
 36 6 allocated for funding of the state match for the federal  
 36 7 substance abuse and mental health services administration  
 36 8 (SAMHSA) system of care grant.

36 9 24. The department shall develop options for providing a  
 36 10 growth mechanism for reimbursement of the child and family  
 36 11 services traditionally funded under this appropriation. The  
 36 12 growth mechanism options may provide for a tie to allowable  
 36 13 growth for school aid, an inflationary adjustment reflective  
 36 14 of the cost increases for the services, or other reasonable  
 36 15 proxy for the cost increases affecting such service providers.

36 16 Sec. 17. ADOPTION SUBSIDY.

36 17 1. There is appropriated from the general fund of the  
 36 18 state to the department of human services for the fiscal year  
 36 19 beginning July 1, 2008, and ending June 30, 2009, the  
 36 20 following amount, or so much thereof as is necessary, to be  
 36 21 used for the purpose designated:

36 22 For adoption subsidy payments and services:  
 36 23 ..... \$ 32,568,872

36 24 2. The department may transfer funds appropriated in this  
 36 25 section to the appropriations in this Act for child and family  
 36 26 services to be used for adoptive family recruitment and other  
 36 27 services to achieve adoption.

36 28 3. Federal funds received by the state during the fiscal  
 36 29 year beginning July 1, 2008, as the result of the expenditure  
 36 30 of state funds during a previous state fiscal year for a  
 36 31 service or activity funded under this section are appropriated  
 36 32 to the department to be used as additional funding for the  
 36 33 services and activities funded under this section.

36 34 Notwithstanding section 8.33, moneys received in accordance  
 36 35 with this subsection that remain unencumbered or unobligated  
 37 1 at the close of the fiscal year shall not revert to any fund  
 37 2 but shall remain available for expenditure for the purposes  
 37 3 designated until the close of the succeeding fiscal year.

37 4 Sec. 18. JUVENILE DETENTION HOME FUND. Moneys deposited

37 5 in the juvenile detention home fund created in section 232.142  
37 6 during the fiscal year beginning July 1, 2008, and ending June  
37 7 30, 2009, are appropriated to the department of human services  
37 8 for the fiscal year beginning July 1, 2008, and ending June  
37 9 30, 2009, for distribution of an amount equal to a percentage  
37 10 of the costs of the establishment, improvement, operation, and  
37 11 maintenance of county or multicounty juvenile detention homes  
37 12 in the fiscal year beginning July 1, 2007. Moneys  
37 13 appropriated for distribution in accordance with this section  
37 14 shall be allocated among eligible detention homes, prorated on  
37 15 the basis of an eligible detention home's proportion of the  
37 16 costs of all eligible detention homes in the fiscal year  
37 17 beginning July 1, 2007. The percentage figure shall be  
37 18 determined by the department based on the amount available for  
37 19 distribution for the fund. Notwithstanding section 232.142,  
37 20 subsection 3, the financial aid payable by the state under  
37 21 that provision for the fiscal year beginning July 1, 2008,  
37 22 shall be limited to the amount appropriated for the purposes  
37 23 of this section.

37 24 Sec. 19. FAMILY SUPPORT SUBSIDY PROGRAM.

37 25 1. There is appropriated from the general fund of the  
37 26 state to the department of human services for the fiscal year  
37 27 beginning July 1, 2008, and ending June 30, 2009, the  
37 28 following amount, or so much thereof as is necessary, to be  
37 29 used for the purpose designated:

37 30 For the family support subsidy program:

37 31 ..... \$ 1,936,434

37 32 2. The department shall use at least \$433,212 of the  
37 33 moneys appropriated in this section for the family support  
37 34 center component of the comprehensive family support program  
37 35 under section 225C.47. Not more than \$20,000 of the amount  
38 1 allocated in this subsection shall be used for administrative  
38 2 costs.

38 3 Sec. 20. CONNER DECREE. There is appropriated from the  
38 4 general fund of the state to the department of human services  
38 5 for the fiscal year beginning July 1, 2008, and ending June  
38 6 30, 2009, the following amount, or so much thereof as is  
38 7 necessary, to be used for the purpose designated:

38 8 For building community capacity through the coordination  
38 9 and provision of training opportunities in accordance with the  
38 10 consent decree of Conner v. Branstad, No. 4=86=CV=30871(S.D.  
38 11 Iowa, July 14, 1994):

38 12 ..... \$ 42,623

38 13 Sec. 21. MENTAL HEALTH INSTITUTES. There is appropriated  
38 14 from the general fund of the state to the department of human  
38 15 services for the fiscal year beginning July 1, 2008, and  
38 16 ending June 30, 2009, the following amounts, or so much  
38 17 thereof as is necessary, to be used for the purposes  
38 18 designated:

38 19 1. For the state mental health institute at Cherokee for  
38 20 salaries, support, maintenance, and miscellaneous purposes,  
38 21 and for not more than the following full-time equivalent  
38 22 positions:

38 23 ..... \$ 5,727,743  
38 24 ..... FTEs 210.00

38 25 2. For the state mental health institute at Clarinda for  
38 26 salaries, support, maintenance, and miscellaneous purposes,  
38 27 and for not more than the following full-time equivalent  
38 28 positions:

38 29 ..... \$ 7,023,073  
38 30 ..... FTEs 109.95

38 31 3. For the state mental health institute at Independence  
38 32 for salaries, support, maintenance, and miscellaneous  
38 33 purposes, and for not more than the following full-time  
38 34 equivalent positions:

38 35 ..... \$ 10,495,879  
39 1 ..... FTEs 287.66

39 2 4. For the state mental health institute at Mount Pleasant  
39 3 for salaries, support, maintenance, and miscellaneous  
39 4 purposes, and for not more than the following full-time  
39 5 equivalent positions:

39 6 ..... \$ 1,874,721  
39 7 ..... FTEs 116.44

39 8 Sec. 22. STATE RESOURCE CENTERS.

39 9 1. There is appropriated from the general fund of the  
39 10 state to the department of human services for the fiscal year  
39 11 beginning July 1, 2008, and ending June 30, 2009, the  
39 12 following amounts, or so much thereof as is necessary, to be  
39 13 used for the purposes designated:

39 14 a. For the state resource center at Glenwood for salaries,  
39 15 support, maintenance, and miscellaneous purposes:

39 16 ..... \$ 17,102,330  
39 17 b. For the state resource center at Woodward for salaries,  
39 18 support, maintenance, and miscellaneous purposes:  
39 19 ..... \$ 11,266,164  
39 20 2. The department may continue to bill for state resource  
39 21 center services utilizing a scope of services approach used  
39 22 for private providers of ICFMR services, in a manner which  
39 23 does not shift costs between the medical assistance program,  
39 24 counties, or other sources of funding for the state resource  
39 25 centers.  
39 26 3. The state resource centers may expand the time-limited  
39 27 assessment and respite services during the fiscal year.  
39 28 4. If the department's administration and the department  
39 29 of management concur with a finding by a state resource  
39 30 center's superintendent that projected revenues can reasonably  
39 31 be expected to pay the salary and support costs for a new  
39 32 employee position, or that such costs for adding a particular  
39 33 number of new positions for the fiscal year would be less than  
39 34 the overtime costs if new positions would not be added, the  
39 35 superintendent may add the new position or positions. If the  
40 1 vacant positions available to a resource center do not include  
40 2 the position classification desired to be filled, the state  
40 3 resource center's superintendent may reclassify any vacant  
40 4 position as necessary to fill the desired position. The  
40 5 superintendents of the state resource centers may, by mutual  
40 6 agreement, pool vacant positions and position classifications  
40 7 during the course of the fiscal year in order to assist one  
40 8 another in filling necessary positions.  
40 9 5. If existing capacity limitations are reached in  
40 10 operating units, a waiting list is in effect for a service or  
40 11 a special need for which a payment source or other funding is  
40 12 available for the service or to address the special need, and  
40 13 facilities for the service or to address the special need can  
40 14 be provided within the available payment source or other  
40 15 funding, the superintendent of a state resource center may  
40 16 authorize opening not more than two units or other facilities  
40 17 and begin implementing the service or addressing the special  
40 18 need during fiscal year 2008=2009.  
40 19 Sec. 23. MI/MR/DD STATE CASES.  
40 20 1. There is appropriated from the general fund of the  
40 21 state to the department of human services for the fiscal year  
40 22 beginning July 1, 2008, and ending June 30, 2009, the  
40 23 following amount, or so much thereof as is necessary, to be  
40 24 used for the purpose designated:  
40 25 For distribution to counties for state case services for  
40 26 persons with mental illness, mental retardation, and  
40 27 developmental disabilities in accordance with section 331.440:  
40 28 ..... \$ 13,067,178  
40 29 2. For the fiscal year beginning July 1, 2008, and ending  
40 30 June 30, 2009, \$200,000 is allocated for state case services  
40 31 from the amounts appropriated from the fund created in section  
40 32 8.41 to the department of human services from the funds  
40 33 received from the federal government under 42 U.S.C., ch. 6A,  
40 34 subch. XVII, relating to the community mental health center  
40 35 block grant, for the federal fiscal years beginning October 1,  
41 1 2006, and ending September 30, 2007, beginning October 1,  
41 2 2007, and ending September 30, 2008, and beginning October 1,  
41 3 2008, and ending September 30, 2009. The allocation made in  
41 4 this subsection shall be made prior to any other distribution  
41 5 allocation of the appropriated federal funds.  
41 6 3. Notwithstanding section 8.33, moneys appropriated in  
41 7 this section that remain unencumbered or unobligated at the  
41 8 close of the fiscal year shall not revert but shall remain  
41 9 available for expenditure for the purposes designated until  
41 10 the close of the succeeding fiscal year.  
41 11 Sec. 24. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES ==  
41 12 COMMUNITY SERVICES FUND. There is appropriated from the  
41 13 general fund of the state to the mental health and  
41 14 developmental disabilities community services fund created in  
41 15 section 225C.7 for the fiscal year beginning July 1, 2008, and  
41 16 ending June 30, 2009, the following amount, or so much thereof  
41 17 as is necessary, to be used for the purpose designated:  
41 18 For mental health and developmental disabilities community  
41 19 services in accordance with this division of this Act:  
41 20 ..... \$ 18,017,890  
41 21 1. Of the funds appropriated in this section, \$17,727,890  
41 22 shall be allocated to counties for funding of community-based  
41 23 mental health and developmental disabilities services. The  
41 24 moneys shall be allocated to a county as follows:  
41 25 a. Fifty percent based upon the county's proportion of the  
41 26 state's population of persons with an annual income which is

41 27 equal to or less than the poverty guideline established by the  
41 28 federal office of management and budget.

41 29 b. Fifty percent based upon the county's proportion of the  
41 30 state's general population.

41 31 2. a. A county shall utilize the funding the county  
41 32 receives pursuant to subsection 1 for services provided to  
41 33 persons with a disability, as defined in section 225C.2.  
41 34 However, no more than 50 percent of the funding shall be used  
41 35 for services provided to any one of the service populations.

42 1 b. A county shall use at least 50 percent of the funding  
42 2 the county receives under subsection 1 for contemporary  
42 3 services provided to persons with a disability, as described  
42 4 in rules adopted by the department.

42 5 3. Of the funds appropriated in this section, \$30,000  
42 6 shall be used to support the Iowa compass program providing  
42 7 computerized information and referral services for Iowans with  
42 8 disabilities and their families.

42 9 4. a. Funding appropriated for purposes of the federal  
42 10 social services block grant is allocated for distribution to  
42 11 counties for local purchase of services for persons with  
42 12 mental illness or mental retardation or other developmental  
42 13 disability.

42 14 b. The funds allocated in this subsection shall be  
42 15 expended by counties in accordance with the county's approved  
42 16 county management plan. A county without an approved county  
42 17 management plan shall not receive allocated funds until the  
42 18 county's management plan is approved.

42 19 c. The funds provided by this subsection shall be  
42 20 allocated to each county as follows:

42 21 (1) Fifty percent based upon the county's proportion of  
42 22 the state's population of persons with an annual income which  
42 23 is equal to or less than the poverty guideline established by  
42 24 the federal office of management and budget.

42 25 (2) Fifty percent based upon the amount provided to the  
42 26 county for local purchase of services in the preceding fiscal  
42 27 year.

42 28 5. A county is eligible for funds under this section if  
42 29 the county qualifies for a state payment as described in  
42 30 section 331.439.

42 31 6. Of the funds appropriated in this section, \$260,000 is  
42 32 allocated to the department for continuing the development of  
42 33 an assessment process for use beginning in a subsequent fiscal  
42 34 year as authorized specifically by a statute to be enacted in  
42 35 a subsequent fiscal year, determining on a consistent basis  
43 1 the needs and capacities of persons seeking or receiving  
43 2 mental health, mental retardation, developmental disabilities,  
43 3 or brain injury services that are paid for in whole or in part  
43 4 by the state or a county. The assessment process shall be  
43 5 developed with the involvement of counties and the mental  
43 6 health, mental retardation, developmental disabilities, and  
43 7 brain injury commission.

43 8 7. The most recent population estimates issued by the  
43 9 United States bureau of the census shall be applied for the  
43 10 population factors utilized in this section.

43 11 Sec. 25. SEXUALLY VIOLENT PREDATORS.

43 12 1. There is appropriated from the general fund of the  
43 13 state to the department of human services for the fiscal year  
43 14 beginning July 1, 2008, and ending June 30, 2009, the  
43 15 following amount, or so much thereof as is necessary, to be  
43 16 used for the purpose designated:

43 17 For costs associated with the commitment and treatment of  
43 18 sexually violent predators in the unit located at the state  
43 19 mental health institute at Cherokee, including costs of legal  
43 20 services and other associated costs, including salaries,  
43 21 support, maintenance, and miscellaneous purposes, and for not  
43 22 more than the following full-time equivalent positions:  
43 23 ..... \$ 6,492,008  
43 24 ..... FTEs 94.50

43 25 2. Unless specifically prohibited by law, if the amount  
43 26 charged provides for recoupment of at least the entire amount  
43 27 of direct and indirect costs, the department of human services  
43 28 may contract with other states to provide care and treatment  
43 29 of persons placed by the other states at the unit for sexually  
43 30 violent predators at Cherokee. The moneys received under such  
43 31 a contract shall be considered to be repayment receipts and  
43 32 used for the purposes of the appropriation made in this  
43 33 section.

43 34 Sec. 26. FIELD OPERATIONS. There is appropriated from the  
43 35 general fund of the state to the department of human services  
44 1 for the fiscal year beginning July 1, 2008, and ending June  
44 2 30, 2009, the following amount, or so much thereof as is

44 3 necessary, to be used for the purposes designated:  
44 4 For field operations, including salaries, support,  
44 5 maintenance, and miscellaneous purposes, and for not more than  
44 6 the following full-time equivalent positions:  
44 7 ..... \$ 66,852,732  
44 8 ..... FTEs 2,130.68  
44 9 Priority in filling full-time equivalent positions shall be  
44 10 given to those positions related to child protection services.  
44 11 Sec. 27. GENERAL ADMINISTRATION. There is appropriated  
44 12 from the general fund of the state to the department of human  
44 13 services for the fiscal year beginning July 1, 2008, and  
44 14 ending June 30, 2009, the following amount, or so much thereof  
44 15 as is necessary, to be used for the purpose designated:  
44 16 For general administration, including salaries, support,  
44 17 maintenance, and miscellaneous purposes, and for not more than  
44 18 the following full-time equivalent positions:  
44 19 ..... \$ 16,782,067  
44 20 ..... FTEs 407.50  
44 21 1. Of the funds appropriated in this section, \$57,000 is  
44 22 allocated for the prevention of disabilities policy council  
44 23 established in section 225B.3.  
44 24 2. If legislation is enacted providing for the department  
44 25 to implement an emergency mental health crisis services system  
44 26 or a mental health services system for children and youth  
44 27 through competitive bidding processes, the department shall  
44 28 begin the request for proposals and rules adoption processes  
44 29 so that implementation of the system or systems may  
44 30 expeditiously begin on or after July 1, 2009. Of the amount  
44 31 appropriated in this section, the department may use up to  
44 32 \$50,000 each for the planning and development costs to begin  
44 33 the two systems in the fiscal year beginning July 1, 2009.  
44 34 Sec. 28. VOLUNTEERS. There is appropriated from the  
44 35 general fund of the state to the department of human services  
45 1 for the fiscal year beginning July 1, 2008, and ending June  
45 2 30, 2009, the following amount, or so much thereof as is  
45 3 necessary, to be used for the purpose designated:  
45 4 For development and coordination of volunteer services:  
45 5 ..... \$ 109,568  
45 6 Sec. 29. FAMILY PLANNING SERVICES. There is appropriated  
45 7 from the general fund of the state to the department of human  
45 8 services for the fiscal year beginning July 1, 2008, and  
45 9 ending June 30, 2009, the following amount or so much thereof  
45 10 as is necessary, to be used for the purpose designated:  
45 11 For family planning services to individuals who are not  
45 12 currently receiving the specific benefit under the medical  
45 13 assistance program:  
45 14 ..... \$ 750,000  
45 15 Moneys appropriated under this section shall not be used to  
45 16 provide abortions. The department shall work with appropriate  
45 17 stakeholders to implement and administer the program.  
45 18 Sec. 30. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY  
45 19 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE  
45 20 DEPARTMENT OF HUMAN SERVICES.  
45 21 1. a. (1) For the fiscal year beginning July 1, 2008,  
45 22 the total state funding amount for the nursing facility budget  
45 23 shall not exceed \$183,367,323.  
45 24 (2) The department, in cooperation with nursing facility  
45 25 representatives, shall review projections for state funding  
45 26 expenditures for reimbursement of nursing facilities on a  
45 27 quarterly basis and the department shall determine if an  
45 28 adjustment to the medical assistance reimbursement rate is  
45 29 necessary in order to provide reimbursement within the state  
45 30 funding amount. Any temporary enhanced federal financial  
45 31 participation that may become available to the Iowa medical  
45 32 assistance program during the fiscal year shall not be used in  
45 33 projecting the nursing facility budget. Notwithstanding 2001  
45 34 Iowa Acts, chapter 192, section 4, subsection 2, paragraph  
45 35 "c", and subsection 3, paragraph "a", subparagraph (2), if the  
46 1 state funding expenditures for the nursing facility budget for  
46 2 the fiscal year beginning July 1, 2008, are projected to  
46 3 exceed the amount specified in subparagraph (1), the  
46 4 department shall adjust the reimbursement for nursing  
46 5 facilities reimbursed under the case-mix reimbursement system  
46 6 to maintain expenditures of the nursing facility budget within  
46 7 the specified amount. The department shall revise such  
46 8 reimbursement as necessary to adjust the annual accountability  
46 9 measures payment in accordance with the amendment in this  
46 10 division of this Act to 2001 Iowa Acts, chapter 192, section  
46 11 4, subsection 4.  
46 12 b. For the fiscal year beginning July 1, 2008, the  
46 13 department shall reimburse pharmacy dispensing fees using a

46 14 single rate of \$4.52 per prescription or the pharmacy's usual  
46 15 and customary fee, whichever is lower.

46 16 c. (1) For the fiscal year beginning July 1, 2008,  
46 17 reimbursement rates for inpatient and outpatient hospital  
46 18 services shall remain at the rates in effect on June 30, 2008.  
46 19 The department shall continue the outpatient hospital  
46 20 reimbursement system based upon ambulatory patient groups  
46 21 implemented pursuant to 1994 Iowa Acts, chapter 1186, section  
46 22 25, subsection 1, paragraph "f", unless the department adopts  
46 23 the Medicare ambulatory payment classification methodology  
46 24 authorized in subparagraph (2).

46 25 (2) The department may implement the Medicare ambulatory  
46 26 payment classification methodology for reimbursement of  
46 27 outpatient hospital services. Any change in hospital  
46 28 reimbursement shall be budget neutral.

46 29 (3) In order to ensure the efficient use of limited state  
46 30 funds in procuring health care services for low-income Iowans,  
46 31 funds appropriated in this Act for hospital services shall not  
46 32 be used for activities which would be excluded from a  
46 33 determination of reasonable costs under the federal Medicare  
46 34 program pursuant to 42 U.S.C. } 1395X(v)(1)(N).

46 35 d. For the fiscal year beginning July 1, 2008,  
47 1 reimbursement rates for rural health clinics, hospices,  
47 2 independent laboratories, and acute mental hospitals shall be  
47 3 increased in accordance with increases under the federal  
47 4 Medicare program or as supported by their Medicare audited  
47 5 costs.

47 6 e. (1) For the fiscal year beginning July 1, 2008,  
47 7 reimbursement rates for home health agencies shall remain at  
47 8 the rates in effect on June 30, 2008, not to exceed a home  
47 9 health agency's actual allowable cost.

47 10 (2) The department shall establish a fixed fee  
47 11 reimbursement schedule for home health agencies under the  
47 12 medical assistance program beginning July 1, 2008.

47 13 f. For the fiscal year beginning July 1, 2008, federally  
47 14 qualified health centers shall receive cost-based  
47 15 reimbursement for 100 percent of the reasonable costs for the  
47 16 provision of services to recipients of medical assistance.

47 17 g. For the fiscal year beginning July 1, 2008, the  
47 18 reimbursement rates for dental services shall remain at the  
47 19 rates in effect on June 30, 2008.

47 20 h. For the fiscal year beginning July 1, 2008, the maximum  
47 21 reimbursement rate for psychiatric medical institutions for  
47 22 children shall be \$160.71 per day.

47 23 i. For the fiscal year beginning July 1, 2008, unless  
47 24 otherwise specified in this Act, all noninstitutional medical  
47 25 assistance provider reimbursement rates shall remain at the  
47 26 rates in effect on June 30, 2008, except for area education  
47 27 agencies, local education agencies, infant and toddler  
47 28 services providers, and those providers whose rates are  
47 29 required to be determined pursuant to section 249A.20.

47 30 j. Notwithstanding section 249A.20, for the fiscal year  
47 31 beginning July 1, 2008, the average reimbursement rate for  
47 32 health care providers eligible for use of the federal Medicare  
47 33 resource-based relative value scale reimbursement methodology  
47 34 under that section shall remain at the rate in effect on June  
47 35 30, 2008; however, this rate shall not exceed the maximum  
48 1 level authorized by the federal government.

48 2 k. For the fiscal year beginning July 1, 2008, the  
48 3 reimbursement rate for residential care facilities shall not  
48 4 be less than the minimum payment level as established by the  
48 5 federal government to meet the federally mandated maintenance  
48 6 of effort requirement. The flat reimbursement rate for  
48 7 facilities electing not to file semiannual cost reports shall  
48 8 not be less than the minimum payment level as established by  
48 9 the federal government to meet the federally mandated  
48 10 maintenance of effort requirement.

48 11 1. For the fiscal year beginning July 1, 2008, inpatient  
48 12 mental health services provided at hospitals shall be  
48 13 reimbursed at the cost of the services, subject to Medicaid  
48 14 program upper payment limit rules; community mental health  
48 15 centers and providers of mental health services to county  
48 16 residents pursuant to a waiver approved under section 225C.7,  
48 17 subsection 3, shall be reimbursed at 100 percent of the  
48 18 reasonable costs for the provision of services to recipients  
48 19 of medical assistance; and psychiatrists shall be reimbursed  
48 20 at the medical assistance program fee for service rate.

48 21 2. For the fiscal year beginning July 1, 2008, the  
48 22 reimbursement rate for providers reimbursed under the in=  
48 23 home-related care program shall not be less than the minimum  
48 24 payment level as established by the federal government to meet

48 25 the federally mandated maintenance of effort requirement.

48 26 3. Unless otherwise directed in this section, when the  
48 27 department's reimbursement methodology for any provider  
48 28 reimbursed in accordance with this section includes an  
48 29 inflation factor, this factor shall not exceed the amount by  
48 30 which the consumer price index for all urban consumers  
48 31 increased during the calendar year ending December 31, 2002.

48 32 4. For the fiscal year beginning July 1, 2008, the foster  
48 33 family basic daily maintenance rate paid in accordance with  
48 34 section 234.38, the maximum adoption subsidy rate, and the  
48 35 maximum supervised apartment living foster care rate for  
49 1 children ages 0 through 5 years shall be \$16.36, the rate for  
49 2 children ages 6 through 11 years shall be \$17.01, the rate for  
49 3 children ages 12 through 15 years shall be \$18.62, and the  
49 4 rate for children ages 16 and older shall be \$18.87.

49 5 5. For the fiscal year beginning July 1, 2008, the maximum  
49 6 reimbursement rates for social services providers reimbursed  
49 7 under a purchase of social services contract shall remain at  
49 8 the rates in effect on June 30, 2008, or the provider's actual  
49 9 and allowable cost plus inflation for each service, whichever  
49 10 is less. However, the rates may be adjusted under any of the  
49 11 following circumstances:

49 12 a. If a new service was added after June 30, 2008, the  
49 13 initial reimbursement rate for the service shall be based upon  
49 14 actual and allowable costs.

49 15 b. If a social service provider loses a source of income  
49 16 used to determine the reimbursement rate for the provider, the  
49 17 provider's reimbursement rate may be adjusted to reflect the  
49 18 loss of income, provided that the lost income was used to  
49 19 support actual and allowable costs of a service purchased  
49 20 under a purchase of service contract.

49 21 6. For the fiscal year beginning July 1, 2008, the  
49 22 reimbursement rates for family-centered service providers,  
49 23 family foster care service providers, group foster care  
49 24 service providers, and the resource family recruitment and  
49 25 retention contractor shall remain at rates in effect on June  
49 26 30, 2008.

49 27 7. The group foster care reimbursement rates paid for  
49 28 placement of children out of state shall be calculated  
49 29 according to the same rate-setting principles as those used  
49 30 for in-state providers, unless the director of human services  
49 31 or the director's designee determines that appropriate care  
49 32 cannot be provided within the state. The payment of the daily  
49 33 rate shall be based on the number of days in the calendar  
49 34 month in which service is provided.

49 35 8. For the fiscal year beginning July 1, 2008, the  
50 1 reimbursement rates for remedial service providers shall  
50 2 remain at the rates in effect for June 30, 2008.

50 3 9. a. For the fiscal year beginning July 1, 2008, the  
50 4 combined service and maintenance components of the  
50 5 reimbursement rate paid for shelter care services purchased  
50 6 under a contract shall be based on the financial and  
50 7 statistical report submitted to the department. The maximum  
50 8 reimbursement rate shall be \$91.45 per day. The department  
50 9 shall reimburse a shelter care provider at the provider's  
50 10 actual and allowable unit cost, plus inflation, not to exceed  
50 11 the maximum reimbursement rate.

50 12 b. Notwithstanding section 232.141, subsection 8, for the  
50 13 fiscal year beginning July 1, 2008, the amount of the  
50 14 statewide average of the actual and allowable rates for  
50 15 reimbursement of juvenile shelter care homes that is utilized  
50 16 for the limitation on recovery of unpaid costs shall remain at  
50 17 the amount in effect for this purpose in the preceding fiscal  
50 18 year.

50 19 10. For the fiscal year beginning July 1, 2008, the  
50 20 department shall calculate reimbursement rates for  
50 21 intermediate care facilities for persons with mental  
50 22 retardation at the 80th percentile.

50 23 11. For the fiscal year beginning July 1, 2008, for child  
50 24 care providers reimbursed under the state child care  
50 25 assistance program, the department shall set provider  
50 26 reimbursement rates based on the rate reimbursement survey  
50 27 completed in December 2004. The department shall set rates in  
50 28 a manner so as to provide incentives for a nonregistered  
50 29 provider to become registered.

50 30 12. For the fiscal year beginning July 1, 2008,  
50 31 reimbursements for providers reimbursed by the department of  
50 32 human services may be modified if appropriated funding is  
50 33 allocated for that purpose from the senior living trust fund  
50 34 created in section 249H.4, or as specified in appropriations  
50 35 from the healthy Iowans tobacco trust created in section

51 1 12.65.  
51 2 13. The department may adopt emergency rules to implement  
51 3 this section.  
51 4 Sec. 31. 2001 Iowa Acts, chapter 192, section 4,  
51 5 subsection 4, is amended to read as follows:  
51 6 4. ACCOUNTABILITY MEASUREMENTS == ANNUAL  
51 7 ACCOUNTABILITY PAYMENTS == DIRECT CARE WORKER COMPENSATION  
51 8 REPORTING REQUIREMENTS.  
51 9 a. (1) It is the intent of the general assembly that the  
51 10 department of human services initiate a system to measure a  
51 11 variety of elements to determine a nursing facility's capacity  
51 12 to provide quality of life and appropriate access to medical  
51 13 assistance program beneficiaries in a cost-effective manner.  
51 14 Beginning July 1, 2001, the department shall implement a  
51 15 process to collect data for these measurements and shall  
51 16 develop procedures to increase nursing facility reimbursements  
51 17 based upon a nursing facility's achievement of multiple  
51 18 favorable outcomes as determined by these measurements. Any  
51 19 increased reimbursement shall not exceed 3 percent of the  
51 20 calculation of the modified price-based case-mix reimbursement  
51 21 median. The increased reimbursement shall be included in the  
51 22 calculation of nursing facility modified price-based payment  
51 23 rates beginning July 1, 2002, with the exception of  
51 24 Medicare-certified hospital-based nursing facilities,  
51 25 state-operated nursing facilities, and special population  
51 26 nursing facilities.  
51 27 (2) Beginning July 1, 2008, notwithstanding any law or  
51 28 rule to the contrary, the increased nursing facility  
51 29 reimbursement available pursuant to subparagraph (1) shall be  
51 30 based upon the accountability measures and calculations  
51 31 existing on July 1, 2008, pursuant to 441 IAC 81.6(16)(g), as  
51 32 adjusted in accordance with the following provisions, and the  
51 33 increased reimbursement shall be disbursed to each qualifying  
51 34 nursing facility as an accountability payment at the end of  
51 35 each fiscal year:  
52 1 (a) If a nursing facility receives a deficiency for  
52 2 substandard quality of care as defined in 42 C.F.R. } 488.301,  
52 3 the increased reimbursement calculated for payment under this  
52 4 paragraph shall be reduced by 25 percent for each such  
52 5 deficiency received during the year. Additionally, if the  
52 6 nursing facility fails to correct any substandard quality of  
52 7 care deficiency within the time required by the department of  
52 8 inspections and appeals, the entire increased reimbursement  
52 9 calculated for payment under this subparagraph (2) shall be  
52 10 forfeited and the nursing facility shall not receive any  
52 11 accountability payment for the year.  
52 12 (b) If a nursing facility receives a deficiency that is  
52 13 classified pursuant to the Centers for Medicare and Medicaid  
52 14 Services of the United States department of health and human  
52 15 services federal certification guidelines at an H level scope  
52 16 and severity or higher, the increased reimbursement calculated  
52 17 for payment under this subparagraph (2) shall be forfeited and  
52 18 the nursing facility shall not receive an accountability  
52 19 payment for the year.  
52 20 (3) It is the intent of the general assembly that the  
52 21 department of human services in consultation with long-term  
52 22 care services stakeholders and advocates including but not  
52 23 limited to representatives of the AARP Iowa chapter, direct  
52 24 care workers, and long-term care provider entities, review and  
52 25 make recommendations to the general assembly by December 15,  
52 26 2008, about the continuation, modification, or implementation  
52 27 of performance-based incentives to enhance quality outcomes in  
52 28 nursing facilities.  
52 29 b. It is the intent of the general assembly that increases  
52 30 in payments to nursing facilities under the case-mix adjusted  
52 31 component shall be used for the provision of direct care with  
52 32 an emphasis on compensation to direct care workers. The  
52 33 department shall compile and provide a detailed analysis to  
52 34 demonstrate growth of direct care costs, increased acuity, and  
52 35 care needs of residents. The department shall also provide  
53 1 analysis of cost reports submitted by providers and the  
53 2 resulting desk review and field audit adjustment to reclassify  
53 3 and amend provider cost and statistical data. The results of  
53 4 these analyses shall be submitted to the general assembly for  
53 5 evaluation to determine payment levels following the  
53 6 transition funding period.  
53 7 Sec. 32. EMERGENCY RULES. If specifically authorized by a  
53 8 provision of this division of this Act, the department of  
53 9 human services or the mental health, mental retardation,  
53 10 developmental disabilities, and brain injury commission may  
53 11 adopt administrative rules under section 17A.4, subsection 2,

53 12 and section 17A.5, subsection 2, paragraph "b", to implement  
53 13 the provisions and the rules shall become effective  
53 14 immediately upon filing or on a later effective date specified  
53 15 in the rules, unless the effective date is delayed by the  
53 16 administrative rules review committee. Any rules adopted in  
53 17 accordance with this section shall not take effect before the  
53 18 rules are reviewed by the administrative rules review  
53 19 committee. The delay authority provided to the administrative  
53 20 rules review committee under section 17A.4, subsection 5, and  
53 21 section 17A.8, subsection 9, shall be applicable to a delay  
53 22 imposed under this section, notwithstanding a provision in  
53 23 those sections making them inapplicable to section 17A.5,  
53 24 subsection 2, paragraph "b". Any rules adopted in accordance  
53 25 with the provisions of this section shall also be published as  
53 26 notice of intended action as provided in section 17A.4.

53 27 Sec. 33. REPORTS. Any reports or information required to  
53 28 be compiled and submitted under this Act shall be submitted to  
53 29 the chairpersons and ranking members of the joint  
53 30 appropriations subcommittee on health and human services, the  
53 31 legislative services agency, and the legislative caucus staffs  
53 32 on or before the dates specified for submission of the reports  
53 33 or information.

53 34 Sec. 34. EFFECTIVE DATE. The following provision of this  
53 35 division of this Act, being deemed of immediate importance,  
54 1 takes effect upon enactment:

54 2 The provision under the appropriation for child and family  
54 3 services, relating to requirements of section 232.143 for  
54 4 representatives of the department of human services and  
54 5 juvenile court services to establish a plan for continuing  
54 6 group foster care expenditures for the 2008=2009 fiscal year.

54 7 DIVISION II

54 8 SENIOR LIVING TRUST FUND,  
54 9 PHARMACEUTICAL SETTLEMENT ACCOUNT,  
54 10 IOWACARE ACCOUNT, HEALTH CARE  
54 11 TRANSFORMATION ACCOUNT, AND  
54 12 PROPERTY TAX RELIEF FUND

54 13 Sec. 35. DEPARTMENT OF ELDER AFFAIRS. There is  
54 14 appropriated from the senior living trust fund created in  
54 15 section 249H.4 to the department of elder affairs for the  
54 16 fiscal year beginning July 1, 2008, and ending June 30, 2009,  
54 17 the following amount, or so much thereof as is necessary, to  
54 18 be used for the purpose designated:

54 19 For the development and implementation of a comprehensive  
54 20 senior living program, including case management only if the  
54 21 monthly cost per client for case management for the frail  
54 22 elderly services provided does not exceed an average of \$70,  
54 23 and including program administration and costs associated with  
54 24 implementation:

54 25 ..... \$ 8,442,707

54 26 1. Of the funds appropriated in this section, \$2,196,967  
54 27 shall be used for case management for the frail elderly. Of  
54 28 the funds allocated in this subsection, \$1,010,000 shall be  
54 29 transferred to the department of human services in equal  
54 30 amounts on a quarterly basis for reimbursement of case  
54 31 management services provided under the medical assistance  
54 32 elderly waiver. The monthly cost per client for case  
54 33 management for the frail elderly services provided shall not  
54 34 exceed an average of \$70.

54 35 2. Notwithstanding section 249H.7, the department of elder  
55 1 affairs shall distribute up to \$400,000 of the funds  
55 2 appropriated in this section in a manner that will supplement  
55 3 and maximize federal funds under the federal Older Americans  
55 4 Act and shall not use the amount distributed for any  
55 5 administrative purposes of either the department of elder  
55 6 affairs or the area agencies on aging.

55 7 3. Of the funds appropriated in this section, \$60,000  
55 8 shall be used to provide dementia-specific education to direct  
55 9 care workers and other providers of long-term care to enhance  
55 10 existing or scheduled efforts through the Iowa caregivers  
55 11 association, the Alzheimer's association, and other  
55 12 organizations identified as appropriate by the department.

55 13 Sec. 36. DEPARTMENT OF INSPECTIONS AND APPEALS. There is  
55 14 appropriated from the senior living trust fund created in  
55 15 section 249H.4 to the department of inspections and appeals  
55 16 for the fiscal year beginning July 1, 2008, and ending June  
55 17 30, 2009, the following amount, or so much thereof as is  
55 18 necessary, to be used for the purpose designated:

55 19 For the inspection and certification of assisted living  
55 20 facilities and adult day care services, including program  
55 21 administration and costs associated with implementation:

55 22 ..... \$ 1,183,303

55 23 Sec. 37. DEPARTMENT OF HUMAN SERVICES. There is  
55 24 appropriated from the senior living trust fund created in  
55 25 section 249H.4 to the department of human services for the  
55 26 fiscal year beginning July 1, 2008, and ending June 30, 2009,  
55 27 the following amount, or so much thereof as is necessary, to  
55 28 be used for the purpose designated:  
55 29 To supplement the medical assistance appropriations made in  
55 30 this Act, including program administration and costs  
55 31 associated with implementation:

55 32 ..... \$ 67,500,000

55 33 In order to carry out the purposes of this section, the  
55 34 department may transfer funds appropriated in this section to  
55 35 supplement other appropriations made to the department of  
56 1 human services.

56 2 Sec. 38. IOWA FINANCE AUTHORITY. There is appropriated  
56 3 from the senior living trust fund created in section 249H.4 to  
56 4 the Iowa finance authority for the fiscal year beginning July  
56 5 1, 2008, and ending June 30, 2009, the following amount, or so  
56 6 much thereof as is necessary, to be used for the purposes  
56 7 designated:

56 8 To provide reimbursement for rent expenses to eligible  
56 9 persons:

56 10 ..... \$ 700,000

56 11 Participation in the rent subsidy program shall be limited  
56 12 to only those persons who meet the requirements for the  
56 13 nursing facility level of care for home and community-based  
56 14 services waiver services as in effect on July 1, 2008, and to  
56 15 those individuals who are eligible for the federal money  
56 16 follows the person grant program under the medical assistance  
56 17 program.

56 18 Sec. 39. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is  
56 19 appropriated from the pharmaceutical settlement account  
56 20 created in section 249A.33 to the department of human services  
56 21 for the fiscal year beginning July 1, 2008, and ending June  
56 22 30, 2009, the following amount, or so much thereof as is  
56 23 necessary, to be used for the purpose designated:

56 24 To supplement the appropriations made for medical contracts  
56 25 under the medical assistance program:

56 26 ..... \$ 942,767

56 27 Sec. 40. APPROPRIATIONS FROM IOWACARE ACCOUNT.

56 28 1. There is appropriated from the IowaCare account created  
56 29 in section 249J.24 to the state board of regents for  
56 30 distribution to the university of Iowa hospitals and clinics  
56 31 for the fiscal year beginning July 1, 2008, and ending June  
56 32 30, 2009, the following amount, or so much thereof as is  
56 33 necessary, to be used for the purposes designated:

56 34 For salaries, support, maintenance, equipment, and  
56 35 miscellaneous purposes, for the provision of medical and  
57 1 surgical treatment of indigent patients, for provision of  
57 2 services to members of the expansion population pursuant to  
57 3 chapter 249J, and for medical education:

57 4 ..... \$ 27,284,584

57 5 a. Funds appropriated in this subsection shall not be used  
57 6 to perform abortions except medically necessary abortions, and  
57 7 shall not be used to operate the early termination of  
57 8 pregnancy clinic except for the performance of medically  
57 9 necessary abortions. For the purpose of this subsection, an  
57 10 abortion is the purposeful interruption of pregnancy with the  
57 11 intention other than to produce a live-born infant or to  
57 12 remove a dead fetus, and a medically necessary abortion is one  
57 13 performed under one of the following conditions:

57 14 (1) The attending physician certifies that continuing the  
57 15 pregnancy would endanger the life of the pregnant woman.

57 16 (2) The attending physician certifies that the fetus is  
57 17 physically deformed, mentally deficient, or afflicted with a  
57 18 congenital illness.

57 19 (3) The pregnancy is the result of a rape which is  
57 20 reported within 45 days of the incident to a law enforcement  
57 21 agency or public or private health agency which may include a  
57 22 family physician.

57 23 (4) The pregnancy is the result of incest which is  
57 24 reported within 150 days of the incident to a law enforcement  
57 25 agency or public or private health agency which may include a  
57 26 family physician.

57 27 (5) The abortion is a spontaneous abortion, commonly known  
57 28 as a miscarriage, wherein not all of the products of  
57 29 conception are expelled.

57 30 b. Notwithstanding any provision of law to the contrary,  
57 31 the amount appropriated in this subsection shall be allocated  
57 32 in twelve equal monthly payments as provided in section  
57 33 249J.24.

57 34 2. There is appropriated from the IowaCare account created  
57 35 in section 249J.24 to the state board of regents for  
58 1 distribution to the university of Iowa hospitals and clinics  
58 2 for the fiscal year beginning July 1, 2008, and ending June  
58 3 30, 2009, the following amount, or so much thereof as is  
58 4 necessary, to be used for the purposes designated:

58 5 For salaries, support, maintenance, equipment, and  
58 6 miscellaneous purposes, for the provision of medical and  
58 7 surgical treatment of indigent patients, for provision of  
58 8 services to members of the expansion population pursuant to  
58 9 chapter 249J, and for medical education:  
58 10 ..... \$ 35,969,365

58 11 The amount appropriated in this subsection shall be  
58 12 distributed only if expansion population claims adjudicated  
58 13 and paid by the Iowa Medicaid enterprise exceed the  
58 14 appropriation to the state board of regents for distribution  
58 15 to the university of Iowa hospitals and clinics provided in  
58 16 subsection 1. The amount appropriated in this subsection  
58 17 shall be distributed monthly for expansion population claims  
58 18 adjudicated and approved for payment by the Iowa Medicaid  
58 19 enterprise using medical assistance program reimbursement  
58 20 rates.

58 21 3. There is appropriated from the IowaCare account created  
58 22 in section 249J.24 to the department of human services for the  
58 23 fiscal year beginning July 1, 2008, and ending June 30, 2009,  
58 24 the following amount, or so much thereof as is necessary, to  
58 25 be used for the purposes designated:

58 26 For distribution to a publicly owned acute care teaching  
58 27 hospital located in a county with a population over three  
58 28 hundred fifty thousand for the provision of medical and  
58 29 surgical treatment of indigent patients, for provision of  
58 30 services to members of the expansion population pursuant to  
58 31 chapter 249J, and for medical education:  
58 32 ..... \$ 40,000,000

58 33 Notwithstanding any provision of law to the contrary, the  
58 34 amount appropriated in this subsection shall be allocated in  
58 35 twelve equal monthly payments as provided in section 249J.24.  
59 1 Any amount appropriated in this subsection in excess of  
59 2 \$37,000,000 shall be allocated only if federal funds are  
59 3 available to match the amount allocated.

59 4 4. There is appropriated from the IowaCare account created  
59 5 in section 249J.24 to the department of human services for the  
59 6 fiscal year beginning July 1, 2008, and ending June 30, 2009,  
59 7 the following amounts, or so much thereof as is necessary, to  
59 8 be used for the purposes designated:

59 9 a. For the state mental health institute at Cherokee, for  
59 10 salaries, support, maintenance, and miscellaneous purposes,  
59 11 including services to members of the expansion population  
59 12 pursuant to chapter 249J:  
59 13 ..... \$ 3,164,766

59 14 b. For the state mental health institute at Clarinda, for  
59 15 salaries, support, maintenance, and miscellaneous purposes,  
59 16 including services to members of the expansion population  
59 17 pursuant to chapter 249J:  
59 18 ..... \$ 687,779

59 19 c. For the state mental health institute at Independence,  
59 20 for salaries, support, maintenance, and miscellaneous  
59 21 purposes, including services to members of the expansion  
59 22 population pursuant to chapter 249J:  
59 23 ..... \$ 3,146,494

59 24 d. For the state mental health institute at Mount  
59 25 Pleasant, for salaries, support, maintenance, and  
59 26 miscellaneous purposes, including services to members of the  
59 27 expansion population pursuant to chapter 249J:  
59 28 ..... \$ 2,000,961

59 29 Sec. 41. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE  
59 30 TRANSFORMATION. There is appropriated from the account for  
59 31 health care transformation created in section 249J.23 to the  
59 32 department of human services for the fiscal year beginning  
59 33 July 1, 2008, and ending June 30, 2009, the following amounts,  
59 34 or so much thereof as is necessary, to be used for the  
59 35 purposes designated:

60 1 1. For the costs of medical examinations and development  
60 2 of personal health improvement plans for the expansion  
60 3 population pursuant to section 249J.6:  
60 4 ..... \$ 556,800

60 5 2. For the provision of a medical information hotline for  
60 6 the expansion population as provided in section 249J.6:  
60 7 ..... \$ 150,000

60 8 3. For other health promotion partnership activities  
60 9 pursuant to section 249J.14:

60 10 ..... \$ 900,000  
60 11 4. For the costs related to audits, performance  
60 12 evaluations, and studies required pursuant to chapter 249J:  
60 13 ..... \$ 400,000  
60 14 5. For administrative costs associated with chapter 249J:  
60 15 ..... \$ 1,132,412  
60 16 6. For planning and development, in cooperation with the  
60 17 department of public health, of a phased-in program to provide  
60 18 a dental home for children:  
60 19 ..... \$ 500,000  
60 20 7. For a mental health transformation pilot program:  
60 21 ..... \$ 250,000  
60 22 8. For mental health and developmental disability  
60 23 workforce development:  
60 24 ..... \$ 1,050,000  
60 25 9. For reimbursable administrative costs incurred by the  
60 26 publicly owned acute care teaching hospital located in a  
60 27 county with a population of over 350,000 that is a  
60 28 participating provider pursuant to chapter 249J:  
60 29 ..... \$ 230,000

60 30 Disbursements under this subsection shall be made monthly  
60 31 based upon receipts submitted to the department for  
60 32 reimbursable costs as specified in section 249J.23.  
60 33 Notwithstanding section 8.39, subsection 1, without the  
60 34 prior written consent and approval of the governor and the  
60 35 director of the department of management, the director of  
61 1 human services may transfer funds among the appropriations  
61 2 made in this section as necessary to carry out the purposes of  
61 3 the account for health care transformation. The department  
61 4 shall report any transfers made pursuant to this section to  
61 5 the legislative services agency.

61 6 Sec. 42. TRANSFER FROM ACCOUNT FOR HEALTH CARE  
61 7 TRANSFORMATION. There is transferred from the account for  
61 8 health care transformation created pursuant to section 249J.23  
61 9 to the IowaCare account created in section 249J.24 a total of  
61 10 \$3,000,000 for the fiscal year beginning July 1, 2008, and  
61 11 ending June 30, 2009.

61 12 Sec. 43. PROPERTY TAX RELIEF FUND. There is appropriated  
61 13 from the property tax relief fund created in section 426B.1 to  
61 14 the department of human services for the fiscal year beginning  
61 15 July 1, 2008, and ending June 30, 2009, the following amount,  
61 16 or so much thereof as is necessary, to be used for the  
61 17 purposes designated:

61 18 For the medical assistance program in addition to the  
61 19 appropriation made in section 426B.1, subsection 3, and other  
61 20 appropriations made for purposes of the program:  
61 21 ..... \$ 624,000

61 22 The appropriation made in this section consists of the  
61 23 revenues credited to the property tax relief fund pursuant to  
61 24 sections 437A.8 and 437A.15 as of November 1, 2007, and the  
61 25 appropriation is made in lieu of distributions of those  
61 26 revenues in accordance with section 426B.2, subsection 3.

61 27 Sec. 44. MEDICAL ASSISTANCE PROGRAM == REVERSION TO SENIOR  
61 28 LIVING TRUST FUND FOR FY 2008=2009. Notwithstanding section  
61 29 8.33, if moneys appropriated for purposes of the medical  
61 30 assistance program for the fiscal year beginning July 1, 2008,  
61 31 and ending June 30, 2009, from the general fund of the state,  
61 32 the senior living trust fund, the healthy Iowans tobacco trust  
61 33 fund, the health care trust fund, and the property tax relief  
61 34 fund are in excess of actual expenditures for the medical  
61 35 assistance program and remain unencumbered or unobligated at  
62 1 the close of the fiscal year, the excess moneys shall not  
62 2 revert but shall be transferred to the senior living trust  
62 3 fund created in section 249H.4.

62 4 DIVISION III  
62 5 MH/MR/DD/BI SERVICES  
62 6 ALLOWED GROWTH FUNDING ==  
62 7 FY 2008=2009

62 8 Sec. 45. 2007 Iowa Acts, chapter 215, section 1, is  
62 9 amended to read as follows:

62 10 SECTION 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION,  
62 11 DEVELOPMENTAL DISABILITIES, AND BRAIN INJURY ALLOWED GROWTH  
62 12 APPROPRIATION AND ALLOCATIONS == FISCAL YEAR 2008=2009.

62 13 1. There is appropriated from the general fund of the  
62 14 state to the department of human services for the fiscal year  
62 15 beginning July 1, 2008, and ending June 30, 2009, the  
62 16 following amount, or so much thereof as is necessary, to be  
62 17 used for the purpose designated:

62 18 For distribution to counties of the county mental health,  
62 19 mental retardation, and developmental disabilities allowed  
62 20 growth factor adjustment for fiscal year 2008=2009, and for

62 21 the brain injury services program in the department of public  
62 22 health:  
62 23 ..... \$ 64,600,002  
62 24 ..... 54,081,310  
62 25 ~~2. The amount appropriated in this section shall be~~  
62 26 ~~allocated as provided in a later enactment of the general~~  
62 27 ~~assembly.~~  
62 28 2. There is appropriated from the property tax relief fund  
62 29 to the department of human services for the fiscal year  
62 30 beginning July 1, 2008, and ending June 30, 2009, the  
62 31 following amount, or so much thereof as is necessary, to be  
62 32 used for the purposes designated:  
62 33 For distribution to counties of the county mental health,  
62 34 mental retardation, and developmental disabilities allowed  
62 35 growth factor adjustment, as provided in this section in lieu  
63 1 of the provisions of section 331.438, subsection 2, and  
63 2 section 331.439, subsection 3, and chapter 426B:  
63 3 ..... \$ 7,592,099  
63 4 Sec. 46. 2007 Iowa Acts, chapter 215, section 1, as  
63 5 amended by this division of this Act, is amended by adding the  
63 6 following new subsections:  
63 7 NEW SUBSECTION. 3. Of the amount appropriated in  
63 8 subsection 1, \$12,000,000 shall be distributed as provided in  
63 9 this subsection.  
63 10 a. To be eligible to receive a distribution under this  
63 11 subsection, a county must meet the following requirements:  
63 12 (1) The county is levying for the maximum amount allowed  
63 13 for the county's mental health, mental retardation, and  
63 14 developmental disabilities services fund under section  
63 15 331.424A for taxes due and payable in the fiscal year  
63 16 beginning July 1, 2008, or the county is levying for at least  
63 17 90 percent of the maximum amount allowed for the county's  
63 18 services fund and that levy rate is more than \$2 per \$1,000 of  
63 19 the assessed value of all taxable property in the county.  
63 20 (2) In the fiscal year beginning July 1, 2006, the  
63 21 county's mental health, mental retardation, and developmental  
63 22 disabilities services fund ending balance under generally  
63 23 accepted accounting principles was equal to or less than 15  
63 24 percent of the county's actual gross expenditures for that  
63 25 fiscal year.  
63 26 b. A county's allocation of the amount appropriated in  
63 27 this subsection shall be determined based upon the county's  
63 28 proportion of the general population of the counties eligible  
63 29 to receive an allocation under this subsection. The most  
63 30 recent population estimates issued by the United States bureau  
63 31 of the census shall be applied in determining population for  
63 32 the purposes of this paragraph.  
63 33 c. The allocations made pursuant to this subsection are  
63 34 subject to the distribution provisions and withholding  
63 35 requirements established in this section for the county mental  
64 1 health, mental retardation, and developmental disabilities  
64 2 allowed growth factor adjustment for the fiscal year beginning  
64 3 July 1, 2008.  
64 4 NEW SUBSECTION. 4. The funding appropriated in this  
64 5 section is the allowed growth factor adjustment for fiscal  
64 6 year 2008=2009, and shall be credited to the allowed growth  
64 7 funding pool created in the property tax relief fund and for  
64 8 distribution in accordance with section 426B.5, subsection 1:  
64 9 ..... \$ 49,673,409  
64 10 NEW SUBSECTION. 5. The following formula amounts shall be  
64 11 utilized only to calculate preliminary distribution amounts  
64 12 for fiscal year 2008=2009 under this section by applying the  
64 13 indicated formula provisions to the formula amounts and  
64 14 producing a preliminary distribution total for each county:  
64 15 a. For calculation of a distribution amount for eligible  
64 16 counties from the allowed growth funding pool created in the  
64 17 property tax relief fund in accordance with the requirements  
64 18 in section 426B.5, subsection 1:  
64 19 ..... \$ 57,337,985  
64 20 b. For calculation of a distribution amount for counties  
64 21 from the mental health and developmental disabilities (MH/DD)  
64 22 community services fund in accordance with the formula  
64 23 provided in the appropriation made for the MH/DD community  
64 24 services fund for the fiscal year beginning July 1, 2008:  
64 25 ..... \$ 17,727,890  
64 26 NEW SUBSECTION. 6. After applying the applicable  
64 27 statutory distribution formulas to the amounts indicated in  
64 28 subsection 5 for purposes of producing preliminary  
64 29 distribution totals, the department of human services shall  
64 30 apply a withholding factor to adjust an eligible individual  
64 31 county's preliminary distribution total. In order to be

64 32 eligible for a distribution under this section, a county must  
64 33 be levying seventy percent or more of the maximum amount  
64 34 allowed for the county's mental health, mental retardation,  
64 35 and developmental disabilities services fund under section  
65 1 331.424A for taxes due and payable in the fiscal year for  
65 2 which the distribution is payable. An ending balance  
65 3 percentage for each county shall be determined by expressing  
65 4 the county's ending balance on a modified accrual basis under  
65 5 generally accepted accounting principles for the fiscal year  
65 6 beginning July 1, 2006, in the county's mental health, mental  
65 7 retardation, and developmental disabilities services fund  
65 8 created under section 331.424A, as a percentage of the  
65 9 county's gross expenditures from that fund for that fiscal  
65 10 year. If a county borrowed moneys for purposes of providing  
65 11 services from the county's services fund on or before July 1,  
65 12 2006, and the county's services fund ending balance for that  
65 13 fiscal year includes the loan proceeds or an amount designated  
65 14 in the county budget to service the loan for the borrowed  
65 15 moneys, those amounts shall not be considered to be part of  
65 16 the county's ending balance for purposes of calculating an  
65 17 ending balance percentage under this subsection. The  
65 18 withholding factor for a county shall be the following  
65 19 applicable percent:

65 20 a. For an ending balance percentage of less than 5  
65 21 percent, a withholding factor of 0 percent. In addition, a  
65 22 county that is subject to this lettered paragraph shall  
65 23 receive an inflation adjustment equal to 3 percent of the  
65 24 gross expenditures reported for the county's services fund for  
65 25 the fiscal year.

65 26 b. For an ending balance percentage of 5 percent or more  
65 27 but less than 10 percent, a withholding factor of 0 percent.  
65 28 In addition, a county that is subject to this lettered  
65 29 paragraph shall receive an inflation adjustment equal to 2  
65 30 percent of the gross expenditures reported for the county's  
65 31 services fund for the fiscal year.

65 32 c. For an ending balance percentage of 10 percent or more  
65 33 but less than 25 percent, a withholding factor of 25 percent.  
65 34 However, for counties with an ending balance percentage of 10  
65 35 percent or more but less than 15 percent, the amount withheld  
66 1 shall be limited to the amount by which the county's ending  
66 2 balance was in excess of the ending balance percentage of 10  
66 3 percent.

66 4 d. For an ending balance percentage of 25 percent or more,  
66 5 a withholding percentage of 100 percent.

66 6 NEW SUBSECTION. 7. The total withholding amounts applied  
66 7 pursuant to subsection 6 shall be equal to a withholding  
66 8 target amount of \$7,664,576. If the department of human  
66 9 services determines that the amount to be withheld in  
66 10 accordance with subsection 6 is not equal to the target  
66 11 withholding amount, the department shall adjust the  
66 12 withholding factors listed in subsection 6 as necessary to  
66 13 achieve the target withholding amount. However, in making  
66 14 such adjustments to the withholding factors, the department  
66 15 shall strive to minimize changes to the withholding factors  
66 16 for those ending balance percentage ranges that are lower than  
66 17 others and shall not adjust the zero withholding factor or the  
66 18 inflation adjustment percentage specified in subsection 6,  
66 19 paragraph "a".

66 20 Sec. 47. Section 331.439, subsection 1, paragraph a, Code  
66 21 Supplement 2007, is amended to read as follows:

66 22 a. The county accurately reported by December 1 the  
66 23 county's expenditures for mental health, mental retardation,  
66 24 and developmental disabilities services and the information  
66 25 required under section 225C.6A, subsection 2, paragraph "c",  
66 26 for the previous fiscal year on forms prescribed by rules  
66 27 adopted by the state commission. If the department determines  
66 28 good cause exists, the department may extend a deadline  
66 29 otherwise imposed under this chapter, chapter 225C, or chapter  
66 30 426B for a county's reporting concerning mental health, mental  
66 31 retardation, or developmental disabilities services or related  
66 32 revenues and expenditures.

66 33 Sec. 48. COUNTY=STATE SHARED FUNDING FOR MENTAL HEALTH AND  
66 34 DISABILITY SERVICES COVERED BY THE MEDICAID PROGRAM.

66 35 1. The legislative council is requested to authorize for  
67 1 the 2008 legislative interim a task force to consider  
67 2 county=state shared funding for mental health and disability  
67 3 services covered by the Medicaid program. The membership of  
67 4 the task force should include five legislators from each  
67 5 chamber, one member of the mental health, mental retardation,  
67 6 developmental disabilities, and brain injury (MH/MR/DD/BI)  
67 7 commission; three members of county boards of supervisors,

67 8 with one each from a large, medium, and small population  
67 9 county; three staff members from the county central point of  
67 10 coordination (CPC) office, with one each from a large, medium,  
67 11 and small population county; two individuals representing  
67 12 advocacy organizations, one of which shall be the governor's  
67 13 developmental disabilities council; one current consumer of  
67 14 county MH/MR/DD services; and one MH/MR/DD/BI service provider  
67 15 representative from each of the state's five congressional  
67 16 districts.

67 17 2. The task force should be charged to review and estimate  
67 18 the shared impact for the state and for Iowa counties if  
67 19 financial responsibility for the nonfederal share of the costs  
67 20 of mental health and disability services covered under the  
67 21 Medicaid program is shifted from counties to the state. The  
67 22 task force should be charged to develop an eight-year  
67 23 transition plan that reflects the shared responsibility of  
67 24 costs and service delivery resulting from the shift in  
67 25 responsibilities. It is the intent of the general assembly  
67 26 that the task force will be formed by June 15, 2008, and meet  
67 27 a minimum of four times in 2008.

67 28 3. In addition to legislative staff, representatives of  
67 29 the department of management, the Iowa state association of  
67 30 counties, the department of human services, association of  
67 31 community providers, and Iowa substance abuse program  
67 32 directors association shall comprise a team of resource  
67 33 experts to the task force.

67 34 4. The task force's final report for consideration by the  
67 35 2009 regular session of the general assembly and governor  
68 1 shall include findings and recommendations and a service  
68 2 delivery and funding transition plan.

68 3 Sec. 49. COMMUNITY MENTAL HEALTH CENTER LAW UPDATE.

68 4 1. The administrator of the division of mental health and  
68 5 disability services of the department of human services shall  
68 6 appoint a stakeholder advisory committee to develop a proposal  
68 7 for updating and revising Code chapter 230A, relating to  
68 8 community mental health centers, and for revising the  
68 9 accreditation standards in rule that would result from the  
68 10 statutory revisions.

68 11 2. The membership of the advisory committee shall include  
68 12 representatives of the boards of directors and professional  
68 13 staff of community mental health centers and division staff.  
68 14 At least one member of the advisory committee shall be a  
68 15 member of a county board of supervisors and one member shall  
68 16 be a county central point of coordination administrator. The  
68 17 division administrator may engage the services of expert  
68 18 technical advisors to support the advisory committee in its  
68 19 work.

68 20 3. The advisory committee recommendations shall include  
68 21 but are not limited to addressing Code chapter 230A  
68 22 requirements in the following areas: establishment and  
68 23 support of community mental health centers, services offered,  
68 24 consumer and family involvement, capability to address  
68 25 co-occurring disorders, forms of organization, board of  
68 26 directors, organization meetings, duties and powers of  
68 27 directors, center organization as a nonprofit entity, annual  
68 28 budget, financial support of centers through federal and state  
68 29 block grants, comprehensive community mental health programs,  
68 30 target populations to be served, emergency mental health  
68 31 crisis services, quality improvement programs, use of  
68 32 evidence-based practices, use of functional assessments and  
68 33 outcomes measures, establishment of standards, and review and  
68 34 evaluation processes.

68 35 4. The advisory committee shall submit its report with  
69 1 findings and recommendations to the governor and general  
69 2 assembly on or before December 1, 2008. Until the advisory  
69 3 committee report has been considered and acted upon by the  
69 4 general assembly, the division administrator may defer  
69 5 consideration of requests for accreditation of a new community  
69 6 mental health center or for approval of a provider to fill the  
69 7 role of a community mental health center.

#### 69 8 DIVISION IV

#### 69 9 HEALTH CARE TRUST FUND APPROPRIATIONS ==

#### 69 10 HEALTH CARE ACTIVITIES

69 11 Sec. 50. DEPARTMENT OF PUBLIC HEALTH. The allocations  
69 12 made in this section may include amounts carried forward from  
69 13 appropriations and allocations made for the same purposes in  
69 14 the previous fiscal year. In addition to any other  
69 15 appropriation made in this Act for the purposes designated,  
69 16 there is appropriated from the health care trust fund created  
69 17 in section 453A.35A to the department of public health for the  
69 18 fiscal year beginning July 1, 2008, and ending June 30, 2009,

69 19 the following amounts, or so much thereof as is necessary, for  
69 20 the purposes designated, and for not more than the following  
69 21 full-time equivalent positions:

69 22 1. ADDICTIVE DISORDERS

69 23 .....	\$ 2,955,164
69 24 .....	FTEs 5.00

69 25 a. Of the funds appropriated in this subsection, \$450,000  
69 26 shall be used for culturally competent substance abuse  
69 27 treatment pilot projects.

69 28 (1) The department shall utilize the amount allocated in  
69 29 this lettered paragraph for at least three pilot projects to  
69 30 provide culturally competent substance abuse treatment in  
69 31 various areas of the state. Each pilot project shall target a  
69 32 particular ethnic minority population. The populations  
69 33 targeted shall include but are not limited to  
69 34 African-American, Asian, and Latino.

69 35 (2) The pilot project requirements shall provide for  
70 1 documentation or other means to ensure access to the cultural  
70 2 competence approach used by a pilot project so that such  
70 3 approach can be replicated and improved upon in successor  
70 4 programs.

70 5 b. Of the funds appropriated in this subsection,  
70 6 \$2,747,754 shall be used for tobacco use prevention,  
70 7 cessation, and treatment. The department shall utilize the  
70 8 funds to provide for a variety of activities related to  
70 9 tobacco use prevention, cessation, and treatment including to  
70 10 support Quitline Iowa, QuitNet cessation counseling and  
70 11 education, grants to school districts and community  
70 12 organizations to support Just Eliminate Lies youth chapters  
70 13 and youth tobacco prevention activities, the Just Eliminate  
70 14 Lies tobacco prevention media campaign, nicotine replacement  
70 15 therapy, and other prevention and cessation materials and  
70 16 media promotion. Of the funds allocated in this lettered  
70 17 paragraph, \$255,000 may be utilized by the department for  
70 18 administrative purposes.

70 19 c. Of the funds appropriated in this subsection, \$682,000  
70 20 shall be used for substance abuse treatment activities.

70 21 2. HEALTHY CHILDREN AND FAMILIES

70 22 .....	\$ 667,700
70 23 .....	FTEs 1.00

70 24 a. Of the funds appropriated in this subsection, \$200,000  
70 25 shall be used to address the healthy mental development of  
70 26 children from birth through five years of age through local  
70 27 evidence-based strategies that engage both the public and  
70 28 private sectors in promoting healthy development, prevention,  
70 29 and treatment for children.

70 30 b. Of the funds appropriated in this subsection, \$180,000  
70 31 shall be used for childhood obesity prevention.

70 32 c. Of the funds appropriated in this subsection, \$39,000  
70 33 shall be used for the dental screening of children program  
70 34 pursuant to 2007 Iowa Acts, chapter 146, section 1.

70 35 d. Of the funds appropriated in this subsection, \$10,000  
71 1 shall be used for public health education and awareness of the  
71 2 children's vision initiatives, including the InfantSee program  
71 3 and the student vision program, administered through a  
71 4 statewide association of optometric professionals for infants  
71 5 and preschool children.

71 6 e. Of the funds appropriated in this subsection, \$238,500  
71 7 shall be used to provide audiological services and hearing  
71 8 aids for children. The department may enter into a contract  
71 9 to administer this paragraph.

71 10 f. It is the intent of the general assembly that the  
71 11 department of public health shall implement the  
71 12 recommendations of the postnatal tissue and fluid bank task  
71 13 force created in 2007 Iowa Acts, chapter 147, based upon the  
71 14 report submitted to the general assembly in November 2007, as  
71 15 funding becomes available. The department shall notify the  
71 16 Iowa Code editor and the persons specified in this Act to  
71 17 receive reports when such funding becomes available.

71 18 3. CHRONIC CONDITIONS

71 19 .....	\$ 1,164,181
71 20 .....	FTEs 1.00

71 21 a. Of the funds appropriated in this subsection, \$473,981  
71 22 shall be used for child health specialty clinics.

71 23 b. Of the funds appropriated in this subsection, \$500,000  
71 24 shall be used for the comprehensive cancer control program to  
71 25 reduce the burden of cancer in Iowa through prevention, early  
71 26 detection, effective treatment, and ensuring quality of life.  
71 27 The department shall utilize one of the full-time equivalent  
71 28 positions authorized in this subsection for administration of  
71 29 the activities related to the comprehensive cancer control

71 30 program.

71 31 c. Of the funds appropriated in this subsection, \$5,000

71 32 shall be used for the hemophilia advisory council pursuant to

71 33 chapter 135N.

71 34 d. Of the funds appropriated in this subsection, \$200,000

71 35 shall be used for cervical and colon cancer screening.

72 1 4. COMMUNITY CAPACITY

72 2 ..... \$ 2,790,000

72 3 ..... FTEs 6.00

72 4 a. Of the funds appropriated in this subsection, \$75,000

72 5 shall be used for local public health infrastructure to

72 6 examine minimum standards for local public health.

72 7 b. Of the funds appropriated in this subsection, \$200,000

72 8 shall be used for the mental health professional shortage area

72 9 program implemented pursuant to section 135.80.

72 10 c. Of the funds appropriated in this subsection, \$50,000

72 11 shall be used for a grant to a statewide association of

72 12 psychologists that is affiliated with the American

72 13 psychological association to be used for continuation of a

72 14 program to rotate intern psychologists in placements in urban

72 15 and rural mental health professional shortage areas, as

72 16 defined in section 135.80.

72 17 d. Of the funds appropriated in this subsection, the

72 18 following amounts shall be allocated to the Iowa collaborative

72 19 safety net provider network established pursuant to section

72 20 135.153 to be used for the purposes designated:

72 21 (1) For distribution to the Iowa-Nebraska primary care

72 22 association for statewide coordination of the Iowa

72 23 collaborative safety net provider network:

72 24 ..... \$ 100,000

72 25 (2) For distribution to the Iowa family planning network

72 26 agencies for necessary infrastructure, statewide coordination,

72 27 provider recruitment, service delivery, and provision of

72 28 assistance to patients in determining an appropriate medical

72 29 home:

72 30 ..... \$ 100,000

72 31 (3) For distribution to the local boards of health that

72 32 provide direct services for pilot programs in three counties

72 33 to assist patients in determining an appropriate medical home:

72 34 ..... \$ 100,000

72 35 (4) For distribution to maternal and child health centers

73 1 for pilot programs in three counties to assist patients in

73 2 determining an appropriate medical home:

73 3 ..... \$ 100,000

73 4 (5) For distribution to free clinics for necessary

73 5 infrastructure, statewide coordination, provider recruitment,

73 6 service delivery, and provision of assistance to patients in

73 7 determining an appropriate medical home:

73 8 ..... \$ 250,000

73 9 (6) For distribution to rural health clinics for necessary

73 10 infrastructure, statewide coordination, provider recruitment,

73 11 service delivery, and provision of assistance to patients in

73 12 determining an appropriate medical home:

73 13 ..... \$ 150,000

73 14 (7) For continuation of the safety net provider patient

73 15 access to specialty health care initiative as described in

73 16 2007 Iowa Acts, ch. 218, section 109:

73 17 ..... \$ 400,000

73 18 (8) For continuation of the pharmaceutical infrastructure

73 19 for safety net providers as described in 2007 Iowa Acts, ch.

73 20 218, section 108:

73 21 ..... \$ 400,000

73 22 e. Of the funds appropriated in this subsection, \$650,000

73 23 shall be used for the incubation grant program to community

73 24 health centers that receive a total score of 85 based on the

73 25 evaluation criteria of the health resources and services

73 26 administration of the United States department of health and

73 27 human services.

73 28 f. Of the funds appropriated in this subsection, \$140,000

73 29 shall be used for implementation of the recommendations of the

73 30 direct care worker task force established pursuant to 2005

73 31 Iowa Acts, chapter 88, based upon the report submitted to the

73 32 governor and the general assembly in December 2006.

73 33 g. Of the funds appropriated in this subsection, \$75,000

73 34 shall be used for allocation to an independent statewide

73 35 direct care worker association for education, outreach,

74 1 leadership development, mentoring, and other initiatives

74 2 intended to enhance the recruitment and retention of direct

74 3 care workers in health and long-term care.

74 4 h. The department shall utilize one of the full-time

74 5 equivalent positions authorized in this subsection for

74 6 administration of the activities related to the Iowa  
74 7 collaborative safety net provider network.  
74 8 i. The department shall utilize one of the full-time  
74 9 equivalent positions authorized in this subsection for  
74 10 administration of the voluntary health care provider program  
74 11 pursuant to section 135.24.

74 12 Sec. 51. DEPARTMENT OF HUMAN SERVICES. In addition to any  
74 13 other appropriation made in this Act for the purposes  
74 14 designated, there is appropriated from the health care trust  
74 15 fund created in section 453A.35A to the department of human  
74 16 services for the fiscal year beginning July 1, 2008, and  
74 17 ending June 30, 2009, the following amounts, or so much  
74 18 thereof as is necessary, for the purposes designated:

74 19 1. MEDICAL ASSISTANCE  
74 20 ..... \$113,690,856

74 21 Of the funds appropriated in this subsection, \$250,000  
74 22 shall be used for the grant to the Iowa healthcare  
74 23 collaborative as described in section 135.40.

74 24 2. MH/MR/DD ALLOWED GROWTH FACTOR  
74 25 ..... \$ 7,592,099

74 26 The funds appropriated in this subsection shall be credited  
74 27 to the property tax relief fund created in section 426B.1.

74 28 Sec. 52. IOWACARE PROVIDER NETWORK EXPANSION. The  
74 29 director of human services shall aggressively pursue options  
74 30 to expand the expansion population provider network for the  
74 31 IowaCare program pursuant to chapter 249J. The department may  
74 32 expand the expansion population provider network if sufficient  
74 33 unencumbered certified local matching funds are available to  
74 34 cover the state share of the costs of services provided to the  
74 35 expansion population or if an alternative funding source is  
75 1 identified to cover the state share.

75 2 Sec. 53. BEHAVIORAL HEALTH == DEVELOPING WORKFORCE  
75 3 COMPETENCIES.

75 4 1. The department of public health shall continue during  
75 5 the fiscal year beginning July 1, 2008, the collaborative work  
75 6 with the departments of corrections, education, elder affairs,  
75 7 and human services, and other state agencies, commenced  
75 8 pursuant to 2007 Iowa Acts, ch. 218, section 111, to enhance  
75 9 the workforce competencies of professional and direct care  
75 10 staff who provide behavioral health services, including but  
75 11 not limited to all of the following:

75 12 a. Treatment of persons with co-occurring mental health  
75 13 and substance use disorders.

75 14 b. Treatment of children with mental health or substance  
75 15 use disorders.

75 16 c. Treatment of persons with serious mental illness.

75 17 d. Treatment of veterans of United States or Iowa military  
75 18 service with mental health or substance use disorders.

75 19 e. Treatment of older adults with mental health or  
75 20 substance use disorders.

75 21 2. The department's collaborative effort shall utilize the  
75 22 findings of the substance abuse and mental health services  
75 23 administration of the United States department of health and  
75 24 human services and materials developed by the Annapolis  
75 25 coalition on the behavioral health workforce in planning and  
75 26 implementing efforts to enhance the competency-based training  
75 27 of the state's behavioral health workforce.

75 28 DIVISION V

75 29 APPROPRIATION-RELATED CHANGES == EFFECTIVE DATE

75 30 Sec. 54. Section 35D.18, subsection 5, Code 2007, is  
75 31 amended to read as follows:

75 32 5. Notwithstanding section 8.33, ~~up to five hundred~~  
75 33 ~~thousand dollars of any balance in the Iowa veterans home~~  
75 34 ~~revenue annual appropriation or revenues that remain remains~~  
75 35 unencumbered or unobligated at the close of the fiscal year  
76 1 shall not revert but shall remain available for expenditure  
76 2 for specified purposes of the Iowa veterans home until the  
76 3 close of the succeeding fiscal year.

76 4 JUVENILE DETENTION HOME FUND

76 5 Sec. 55. HEALTHY IOWANS TOBACCO TRUST. There is  
76 6 appropriated from the healthy Iowans tobacco trust created in  
76 7 section 12.65, to the department of human services for the  
76 8 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
76 9 for deposit in the juvenile detention home fund created in  
76 10 section 232.142:

76 11 ..... \$ 1,000,000  
76 12 CHILD WELFARE DECATEGORIZATION

76 13 FY 2006=2007 NONREVERSION

76 14 Sec. 56. 2006 Iowa Acts, chapter 1184, section 17,  
76 15 subsection 4, is amended by adding the following new  
76 16 unnumbered paragraph:

76 17 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 232.188,  
76 18 subsection 5, up to \$3,605,000 of the moneys in the  
76 19 allocations made in this subsection or made from any other  
76 20 source for the decategorization of child welfare and juvenile  
76 21 justice funding initiative under section 232.188, that are  
76 22 designated as carryover funding and that remain unencumbered  
76 23 or unobligated at the close of the fiscal year beginning July  
76 24 1, 2007, shall not revert but shall remain available for  
76 25 expenditure until the close of the succeeding fiscal year to  
76 26 be used for the purposes of continuing the initiative in the  
76 27 succeeding fiscal year.

76 28 VIETNAM CONFLICT VETERANS BONUS FUND

76 29 Sec. 57. 2007 Iowa Acts, chapter 176, section 3, is  
76 30 amended by adding the following new unnumbered paragraph:

76 31 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,  
76 32 moneys appropriated in this section that remain unencumbered  
76 33 or unobligated at the close of the fiscal year shall not  
76 34 revert but shall remain available for expenditure for the  
76 35 purposes designated until the close of the succeeding fiscal  
77 1 year.

77 2 INJURED VETERANS GRANT PROGRAM

77 3 Sec. 58. 2006 Iowa Acts, chapter 1184, section 5, as  
77 4 enacted by 2007 Iowa Acts, chapter 203, section 1, subsection  
77 5 4, unnumbered paragraph 2, is amended to read as follows:

77 6 Notwithstanding section 8.33, moneys appropriated in this  
77 7 subsection that remain unencumbered or unobligated at the  
77 8 close of the fiscal year shall not revert but shall remain  
77 9 available for expenditure for the purposes designated until  
77 10 the close of the ~~succeeding~~ fiscal year beginning July 1,  
77 11 2008.

77 12 DEPARTMENT OF ELDER AFFAIRS == LIVABLE

77 13 COMMUNITY INITIATIVE

77 14 Sec. 59. 2007 Iowa Acts, chapter 215, section 32, is  
77 15 amended by adding the following new subsection:

77 16 NEW SUBSECTION. 4. Notwithstanding section 8.33, moneys  
77 17 appropriated in this section that remain unencumbered or  
77 18 unobligated at the close of the fiscal year shall not revert  
77 19 but shall remain available for expenditure for the purposes  
77 20 designated until the close of the succeeding fiscal year.

77 21 CHRONIC CONDITIONS == PKU

77 22 Sec. 60. 2007 Iowa Acts, chapter 218, section 2,  
77 23 subsection 3, unnumbered paragraph 2, is amended to read as  
77 24 follows:

77 25 Of the funds appropriated in this subsection, \$100,000  
77 26 shall be used as additional funding to provide grants to  
77 27 individual patients who have phenylketonuria (PKU) to assist  
77 28 with the costs of necessary special foods. Notwithstanding  
77 29 section 8.33, moneys appropriated in this subsection and  
77 30 allocated in this paragraph that remain unencumbered or  
77 31 unobligated at the close of the fiscal year shall not revert  
77 32 but shall remain available for expenditure for the purposes  
77 33 designated until the close of the succeeding fiscal year.

77 34 PUBLIC PROTECTION == ANTIVIRAL STOCKPILE

77 35 Sec. 61. 2007 Iowa Acts, chapter 218, section 2,  
78 1 subsection 8, paragraph d, is amended to read as follows:

78 2 d. Of the funds appropriated in this subsection, \$150,000  
78 3 shall be used for management of the antiviral stockpile.  
78 4 Notwithstanding section 8.33, moneys appropriated in this  
78 5 subsection and allocated in this paragraph that remain  
78 6 unencumbered or unobligated at the close of the fiscal year  
78 7 shall not revert but shall remain available for expenditure  
78 8 for the purposes designated until the close of the succeeding  
78 9 fiscal year.

78 10 DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

78 11 Sec. 62. 2007 Iowa Acts, chapter 218, section 4,  
78 12 subsection 1, is amended by adding the following new  
78 13 unnumbered paragraph:

78 14 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33, up  
78 15 to \$100,000 of the moneys appropriated in this subsection that  
78 16 remain unencumbered or unobligated at the close of the fiscal  
78 17 year shall not revert but shall remain available for  
78 18 expenditure for the purposes designated in this paragraph  
78 19 until the close of the succeeding fiscal year. The purposes  
78 20 shall include the sign for the veterans cemetery and other  
78 21 necessary expenses.

78 22 COUNTY GRANT PROGRAM

78 23 Sec. 63. 2007 Iowa Acts, chapter 218, section 4,  
78 24 subsection 4, unnumbered paragraph 3, is amended to read as  
78 25 follows:

78 26 Notwithstanding section 8.33, moneys appropriated in this  
78 27 subsection that remain unencumbered or unobligated at the

78 28 close of the fiscal year shall not revert to the fund from  
78 29 which appropriated but shall be credited to the veterans trust  
78 30 fund but shall remain available for expenditure for the  
78 31 purposes designated until the close of the succeeding fiscal  
78 32 year.

78 33 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES  
78 34 BLOCK GRANT == CHILD CARE

78 35 Sec. 64. 2007 Iowa Acts, chapter 218, section 7,  
79 1 subsections 1 and 7, are amended to read as follows:  
79 2 1. To be credited to the family investment program account  
79 3 and used for assistance under the family investment program  
79 4 under chapter 239B:

79 5 ..... \$ 36,890,944  
79 6 30,390,944  
79 7 7. For state child care assistance:  
79 8 ..... \$ 18,986,177  
79 9 25,486,177

79 10 a. Of the funds appropriated in this subsection, up to  
79 11 \$18,986,177 shall be transferred to the child care and  
79 12 development block grant appropriation made for the federal  
79 13 fiscal year beginning October 1, 2007, and ending September  
79 14 30, 2008, in 2007 Iowa Acts, ch. 204, section 14. Of this  
79 15 amount, \$200,000 shall be used for provision of educational  
79 16 opportunities to registered child care home providers in order  
79 17 to improve services and programs offered by this category of  
79 18 providers and to increase the number of providers. The  
79 19 department may contract with institutions of higher education  
79 20 or child care resource and referral centers to provide the  
79 21 educational opportunities. Allowable administrative costs  
79 22 under the contracts shall not exceed 5 percent. The  
79 23 application for a grant shall not exceed two pages in length.  
79 24 b. ~~The Any~~ funds appropriated in this subsection shall be  
79 25 transferred to the child care and development block grant  
79 26 appropriation that remain unallocated shall be used for state  
79 27 child care assistance payments for individuals enrolled in the  
79 28 family investment program who are employed.

79 29 CHILDREN'S HEALTH INSURANCE PROGRAM

79 30 Sec. 65. 2007 Iowa Acts, chapter 218, section 15, is  
79 31 amended by adding the following new subsection:  
79 32 NEW SUBSECTION. 4. Notwithstanding sections 8.33 and  
79 33 514I.11, up to \$441,000 of the moneys appropriated in this  
79 34 section that remain unencumbered or unobligated at the close  
79 35 of the fiscal year shall not revert to any other fund but  
80 1 shall instead be transferred to the appropriation made in  
80 2 section 16 of this Act for child care assistance to be used  
80 3 for the state child care assistance program until the close of  
80 4 the succeeding fiscal year.

80 5 CHILD AND FAMILY SERVICES  
80 6 TRANSFER FOR CHILD CARE

80 7 Sec. 66. 2007 Iowa Acts, chapter 218, section 18,  
80 8 subsection 3, is amended to read as follows:  
80 9 3. The department may transfer funds appropriated in this  
80 10 section as necessary to pay the nonfederal costs of services  
80 11 reimbursed under the medical assistance program, the state  
80 12 child care assistance program, or the family investment  
80 13 program which are provided to children who would otherwise  
80 14 receive services paid under the appropriation in this section.  
80 15 The department may transfer funds appropriated in this section  
80 16 to the appropriations in this division of this Act for general  
80 17 administration and for field operations for resources  
80 18 necessary to implement and operate the services funded in this  
80 19 section.

80 20 CHILD WELFARE DECATEGORIZATION  
80 21 FY 2007=2008 NONREVERSION

80 22 Sec. 67. 2007 Iowa Acts, chapter 218, section 18,  
80 23 subsection 5, is amended to read as follows:  
80 24 5. In accordance with the provisions of section 232.188,  
80 25 the department shall continue the child welfare and juvenile  
80 26 justice funding initiative. Of the funds appropriated in this  
80 27 section, \$2,605,000 is allocated specifically for expenditure  
80 28 through the decategorization service funding pools and  
80 29 governance boards established pursuant to section 232.188. In  
80 30 addition, up to \$1,000,000 of the amount of federal temporary  
80 31 assistance for needy families block grant funding appropriated  
80 32 in this division of this Act for child and family services  
80 33 shall be made available for purposes of the decategorization  
80 34 initiative as provided in this subsection. However,  
80 35 notwithstanding section 232.188, subsection 5, up to  
81 1 \$6,100,000 of the moneys in the allocations made in this  
81 2 subsection or made from any other source for the  
81 3 decategorization of child welfare funding under section

81 4 232.188, that would otherwise be designated as carryover  
81 5 funding and that remain unencumbered or unobligated at the  
81 6 close of the fiscal year shall instead be transferred to the  
81 7 appropriation made in section 16 of this Act for child care  
81 8 assistance to be used for the state child care assistance  
81 9 program until the close of the succeeding fiscal year.

81 10 CHILD AND FAMILY SERVICES  
81 11 NONREVERSION FOR CHILD CARE

81 12 Sec. 68. 2007 Iowa Acts, chapter 218, section 18, is  
81 13 amended by adding the following new subsection:  
81 14 NEW SUBSECTION. 22. Notwithstanding section 8.33, up to  
81 15 \$3,700,000 of the moneys appropriated in this section that  
81 16 remain unencumbered or unobligated at the close of the fiscal  
81 17 year shall not revert but shall instead be transferred to the  
81 18 appropriation made in section 16 of this Act for child care  
81 19 assistance to be used for the state child care assistance  
81 20 program until the close of the succeeding fiscal year.

81 21 JUVENILE DETENTION FUNDING  
81 22 Sec. 69. 2007 Iowa Acts, chapter 218, section 20, is  
81 23 amended to read as follows:

81 24 SEC. 20. JUVENILE DETENTION HOME FUND. Moneys deposited  
81 25 in the juvenile detention home fund created in section 232.142  
81 26 during the fiscal year beginning July 1, 2007, and ending June  
81 27 30, 2008, are appropriated to the department of human services  
81 28 for the fiscal year beginning July 1, 2007, and ending June  
81 29 30, 2008, for distribution as follows:

81 30 1. ~~Am~~ The following amount which is equal to more than 10  
81 31 percent of the costs of the establishment, improvement,  
81 32 operation, and maintenance of county or multicounty juvenile  
81 33 detention homes in the fiscal year beginning July 1, 2006.  
81 34 Moneys appropriated for distribution in accordance with this  
81 35 subsection shall be allocated among eligible detention homes,  
82 1 prorated on the basis of an eligible detention home's  
82 2 proportion of the costs of all eligible detention homes in the  
82 3 fiscal year beginning July 1, 2006. ~~Notwithstanding section~~  
~~82 4 232.142, subsection 3, the financial aid payable by the state~~  
~~82 5 under that provision for the fiscal year beginning July 1,~~  
~~82 6 2007, shall be limited to the amount appropriated for the~~  
~~82 7 purposes of this subsection.:~~

82 8 ..... \$ 3,764,041

82 9 2. For renewal of a grant to a county with a population  
82 10 between 189,000 and 196,000 in the latest preceding certified  
82 11 federal census for implementation of the county's runaway  
82 12 treatment plan under section 232.195:

82 13 ..... \$ 80,000

82 14 3. For continuation and expansion of the community  
82 15 partnership for child protection sites:

82 16 ..... \$ 418,000

82 17 4. For continuation of the department's minority youth and  
82 18 family projects under the redesign of the child welfare  
82 19 system:

82 20 ..... \$ 375,000

82 21 5. For funding of the state match for the federal  
82 22 substance abuse and mental health services administration  
82 23 (SAMHSA) system of care grant:

82 24 ..... \$ 400,000  
82 25 300,000

82 26 6. ~~For transfer to the appropriation made in this Act for~~  
~~82 27 child and family services to supplement the statewide~~  
~~82 28 expenditure target amount under section 232.143 designated in~~  
~~82 29 the appropriation made in this Act for child and family~~  
~~82 30 services:~~

82 31 ..... \$ 1,324,000

82 32 7. ~~For training of nonlicensed relatives caring for~~  
~~82 33 children in the child welfare system:~~

82 34 ..... \$ 276,000

82 35 ~~8. 6. The remainder for additional allocations to county~~  
~~83 1 or multicounty juvenile detention homes, in accordance with~~  
~~83 2 the distribution requirements of subsection 1 shall be~~  
~~83 3 credited to the appropriation made in section 18 of this Act~~  
~~83 4 for child and family services to supplement the statewide~~  
~~83 5 expenditure target amount under section 232.143 designated in~~  
~~83 6 that appropriation.~~

83 7 DEPARTMENT OF HUMAN SERVICES FIELD OPERATIONS

83 8 Sec. 70. 2007 Iowa Acts, chapter 218, section 28, is  
83 9 amended by adding the following new subsection:

83 10 NEW SUBSECTION. 4. Notwithstanding section 8.33, up to  
83 11 \$1,166,236 of the moneys appropriated in this section that  
83 12 remain unencumbered or unobligated at the close of the fiscal  
83 13 year shall not revert but shall remain available for  
83 14 expenditure for the purposes designated until the close of the

83 15 succeeding fiscal year.  
83 16 DEPARTMENT OF HUMAN SERVICES GENERAL ADMINISTRATION  
83 17 Sec. 71. 2007 Iowa Acts, chapter 218, section 29, is  
83 18 amended by adding the following new subsections:  
83 19 NEW SUBSECTION. 4. Of the funds appropriated in this  
83 20 section, \$1,000,000 is transferred to the juvenile detention  
83 21 home fund created in section 232.142.  
83 22 NEW SUBSECTION. 5. Notwithstanding section 8.33, up to  
83 23 \$110,000 of the moneys appropriated in this section that  
83 24 remain unencumbered or unobligated at the close of the fiscal  
83 25 year shall not revert but shall remain available for  
83 26 expenditure for the purposes designated until the close of the  
83 27 succeeding fiscal year.

83 28 ADJUSTMENT OF PHARMACY DISPENSING FEE

83 29 Sec. 72. 2007 Iowa Acts, chapter 218, section 31,  
83 30 subsection 1, paragraph b, is amended to read as follows:  
83 31 b. ~~(1) For the fiscal year beginning July 1, 2007, the~~  
83 32 ~~department shall reimburse pharmacy dispensing fees using a~~  
83 33 ~~single rate of \$4.52 per prescription, or the pharmacy's usual~~  
83 34 ~~and customary fee, whichever is lower.~~  
83 35 ~~(2) Beginning July 1, 2007, the department of human~~  
84 1 ~~services shall adopt rules, pursuant to chapter 17A, to~~  
84 2 ~~provide for the adjustment of the pharmacy dispensing fee to~~  
84 3 ~~compensate for any reduction in the drug product cost~~  
84 4 ~~reimbursement resulting from implementation of the average~~  
84 5 ~~manufacturer price reimbursement standards for multisource~~  
84 6 ~~generic drug products imposed pursuant to the federal Deficit~~  
84 7 ~~Reduction Act of 2005, Pub. L. No. 109-171. In implementing~~  
84 8 ~~the reimbursement, the department may adjust the reimbursement~~  
84 9 ~~amount as necessary to provide reimbursement within the state~~  
84 10 ~~funding appropriated for the fiscal year beginning July 1,~~  
84 11 ~~2007, and ending June 30, 2008, for this purpose. The~~  
84 12 ~~department shall submit a medical assistance state plan~~  
84 13 ~~amendment to the centers for Medicare and Medicaid services of~~  
84 14 ~~the United States department of health and human services as~~  
84 15 ~~necessary to implement this subparagraph (2).~~

84 16 TRANSFER OF BRAIN INJURY FUNDING TO MEDICAL ASSISTANCE

84 17 Sec. 73. 2006 Iowa Acts, chapter 1185, section 1,  
84 18 subsection 2, as amended by 2007 Iowa Acts, chapter 218,  
84 19 section 83, subsection 2, paragraph c, is amended by adding  
84 20 the following new unnumbered paragraph:  
84 21 NEW UNNUMBERED PARAGRAPH. Notwithstanding any provision of  
84 22 law to the contrary, moneys that were transferred to the  
84 23 department of public health pursuant to this paragraph "c"  
84 24 that remain unencumbered or unobligated at the close of the  
84 25 fiscal year shall not revert but shall instead be transferred  
84 26 to the department of human services to the appropriation made  
84 27 for the medical assistance program in 2007 Iowa Acts, chapter  
84 28 218, section 11. Notwithstanding section 8.33, the  
84 29 transferred moneys shall not revert at the close of the fiscal  
84 30 year but shall instead remain available to be used for the  
84 31 purposes of maintaining home and community-based waiver slots  
84 32 for persons with brain injury under the medical assistance  
84 33 program in the succeeding fiscal year.

84 34 IOWACARE ADMINISTRATIVE COSTS

84 35 Sec. 74. 2007 Iowa Acts, chapter 218, section 74, is  
85 1 amended by adding the following new subsection:  
85 2 NEW SUBSECTION. 8. For reimbursable administrative costs  
85 3 incurred by the publicly owned acute care teaching hospital  
85 4 located in a county with a population of over 350,000 included  
85 5 in the expansion population provider network pursuant to  
85 6 chapter 249J:  
85 7 ..... \$ 230,000  
85 8 Disbursements under this subsection shall be made based on  
85 9 receipts submitted to the department for reimbursable costs as  
85 10 specified in section 249J.23.

85 11 HEALTH CARE TRUST FUND

85 12 DEPARTMENT OF PUBLIC HEALTH ADDICTIVE DISORDERS

85 13 Sec. 75. 2007 Iowa Acts, chapter 218, section 97,  
85 14 subsection 1, is amended by adding the following new  
85 15 paragraph:  
85 16 NEW PARAGRAPH. d. Notwithstanding section 8.33, moneys  
85 17 appropriated and allocated in this subsection that remain  
85 18 unencumbered or unobligated at the close of the fiscal year  
85 19 shall not revert but shall remain available for expenditure  
85 20 for the purposes designated until the close of the succeeding  
85 21 fiscal year.

85 22 HEALTH CARE TRUST FUND == DEPARTMENT OF  
85 23 PUBLIC HEALTH HEALTHY CHILDREN AND FAMILIES

85 24 Sec. 76. 2007 Iowa Acts, chapter 218, section 97,  
85 25 subsection 2, is amended by adding the following new

85 26 paragraph:  
85 27 NEW PARAGRAPH. g. Notwithstanding section 8.33, moneys  
85 28 appropriated and allocated in this subsection that remain  
85 29 unencumbered or unobligated at the close of the fiscal year  
85 30 shall not revert but shall remain available for expenditure  
85 31 for the purposes designated until the close of the succeeding  
85 32 fiscal year.

85 33 HEALTH CARE TRUST FUND == DEPARTMENT OF  
85 34 PUBLIC HEALTH == CHRONIC CONDITIONS  
85 35 Sec. 77. 2007 Iowa Acts, chapter 218, section 97,  
86 1 subsection 3, is amended by adding the following new  
86 2 paragraph:

86 3 NEW PARAGRAPH. dd. Notwithstanding section 8.33, moneys  
86 4 appropriated and allocated in this subsection that remain  
86 5 unencumbered or unobligated at the close of the fiscal year  
86 6 shall not revert but shall remain available for expenditure  
86 7 for the purposes designated until the close of the succeeding  
86 8 fiscal year.

86 9 HEALTH CARE TRUST FUND == DEPARTMENT OF  
86 10 HUMAN SERVICES == STATE CHILDREN'S  
86 11 HEALTH INSURANCE PROGRAM  
86 12 Sec. 78. 2007 Iowa Acts, chapter 218, section 98,  
86 13 subsection 2, is amended by adding the following new  
86 14 paragraph:

86 15 NEW PARAGRAPH. d. Notwithstanding section 8.33, moneys  
86 16 appropriated in this subsection that are allocated for  
86 17 outreach and remain unencumbered or unobligated at the close  
86 18 of the fiscal year, shall not revert but shall remain  
86 19 available for expenditure for the purposes designated until  
86 20 the close of the succeeding fiscal year.

86 21 Sec. 79. EFFECTIVE DATE. This division of this Act, being  
86 22 deemed of immediate importance, takes effect upon enactment.

86 23 DIVISION VI  
86 24 PRIOR YEAR APPROPRIATION CHANGES WITH  
86 25 CONTINGENT APPLICABILITY DATE

86 26 Sec. 80. 2007 Iowa Acts, chapter 214, section 9,  
86 27 subsection 2, paragraph b, is amended to read as follows:

86 28 b. Psychiatric hospital

86 29 For salaries, support, maintenance, equipment,  
86 30 miscellaneous purposes, for the care, treatment, and  
86 31 maintenance of committed and voluntary public patients, and  
86 32 for not more than the following full-time equivalent  
86 33 positions:

86 34 ..... \$ 7,043,056  
86 35 ..... 0

87 1 ..... FTEs 269.65

87 2 Sec. 81. 2007 Iowa Acts, chapter 215, section 15,  
87 3 unnumbered paragraph 1, is amended to read as follows:

87 4 There is appropriated from the general fund of the state to  
87 5 the salary adjustment fund for distribution by the department  
87 6 of management to the various state departments, boards,  
87 7 commissions, councils, and agencies, including the state board  
87 8 of regents except as otherwise provided, and the judicial  
87 9 branch, for the fiscal year beginning July 1, 2007, and ending  
87 10 June 30, 2008, the amount of ~~\$106,848,094~~ \$106,569,196, or so  
87 11 much thereof as may be necessary, to fully fund annual pay  
87 12 adjustments, expense reimbursements, and related benefits  
87 13 implemented pursuant to the following:

87 14 Sec. 82. 2007 Iowa Acts, chapter 215, section 15, is  
87 15 amended by adding the following new subsection:

87 16 NEW SUBSECTION. 16. The amount distributed to the state  
87 17 psychiatric hospital administered by the state board of  
87 18 regents from the appropriation in this section shall be  
87 19 reduced to zero.

87 20 Sec. 83. 2007 Iowa Acts, chapter 218, section 11,  
87 21 unnumbered paragraph 2, is amended to read as follows:

87 22 For medical assistance reimbursement and associated costs  
87 23 as specifically provided in the reimbursement methodologies in  
87 24 effect on June 30, 2007, except as otherwise expressly  
87 25 authorized by law, including reimbursement for abortion  
87 26 services, which shall be available under the medical  
87 27 assistance program only for those abortions which are  
87 28 medically necessary:

87 29 ..... \$616,771,820  
87 30 ..... 624,093,774

87 31 Sec. 84. 2007 Iowa Acts, chapter 218, section 11, is  
87 32 amended by adding the following new subsections:

87 33 NEW SUBSECTION. 17. a. Of the funds appropriated in this  
87 34 section, \$2,797,719 is allocated for state match for  
87 35 disproportionate share hospital payment of \$7,321,954 to  
88 1 hospitals that meet both of the following conditions:

88 2 (1) The hospital qualifies for disproportionate share and  
88 3 graduate medical education payments.

88 4 (2) The hospital is an Iowa state-owned hospital with more  
88 5 than 500 beds and eight or more distinct residency specialty  
88 6 or subspecialty programs recognized by the American college of  
88 7 graduate medical education.

88 8 b. Distribution of the disproportionate share payment  
88 9 shall be made on a monthly basis. The total amount of  
88 10 disproportionate share payments including graduate medical  
88 11 education, enhanced disproportionate share, and Iowa  
88 12 state-owned teaching hospital payments shall not exceed the  
88 13 amount of the state's allotment under Pub. L. No. 102=234. In  
88 14 addition, the total amount of all disproportionate share  
88 15 payments shall not exceed the hospital-specific  
88 16 disproportionate share limits under Pub. L. No. 103=66.

88 17 NEW SUBSECTION. 18. Of the funds appropriated in this  
88 18 section, \$4,524,235 is transferred to the IowaCare account  
88 19 created in section 249J.24 for the fiscal year beginning July  
88 20 1, 2007, and ending June 30, 2008.

88 21 NEW SUBSECTION. 19. The department shall immediately  
88 22 notify the governor and the general assembly of any changes in  
88 23 federal policies or application of policies that impact the  
88 24 distribution of hospital disproportionate share payments.

88 25 Sec. 85. 2007 Iowa Acts, chapter 218, section 73,  
88 26 subsection 2, is amended to read as follows:

88 27 2. There is appropriated from the IowaCare account created  
88 28 in section 249J.24 to the state board of regents for  
88 29 distribution to the university of Iowa hospitals and clinics  
88 30 for the fiscal year beginning July 1, 2007, and ending June  
88 31 30, 2008, the following amount, or so much thereof as is  
88 32 necessary, to be used for the purposes designated:

88 33 For salaries, support, maintenance, equipment, and  
88 34 miscellaneous purposes, for the provision of medical and  
88 35 surgical treatment of indigent patients, for provision of  
89 1 services to members of the expansion population pursuant to  
89 2 chapter 249J, and for medical education:  
89 3 ..... \$ ~~10,000,000~~  
89 4 25,684,211

89 5 The amount appropriated in this subsection shall be  
89 6 distributed only if expansion population claims adjudicated  
89 7 and paid by the Iowa Medicaid enterprise exceed the  
89 8 appropriation to the state board of regents for distribution  
89 9 to the university of Iowa hospitals and clinics provided in  
89 10 subsection 1. The amount appropriated in this subsection  
89 11 shall be distributed monthly for expansion population claims  
89 12 adjudicated and approved for payment by the Iowa Medicaid  
89 13 enterprise using medical assistance program reimbursement  
89 14 rates.

89 15 Notwithstanding section 8.33, moneys appropriated in this  
89 16 subsection that remain unencumbered or unobligated at the  
89 17 close of the fiscal year shall not revert but shall remain  
89 18 available for expenditure for the purposes designated until  
89 19 the close of the succeeding fiscal year.

89 20 Sec. 86. EFFECTIVE DATE == CONTINGENT EFFECTIVE DATE ==  
89 21 RETROACTIVE APPLICABILITY. This division of this Act, being  
89 22 deemed of immediate importance, takes effect upon enactment  
89 23 and is retroactively applicable to December 21, 2007.

89 24 However, the division is applicable only if the department of  
89 25 human services receives approval of a medical assistance state  
89 26 plan amendment from the centers for Medicare and Medicaid  
89 27 services of the United States department of health and human  
89 28 services to utilize the disproportionate share hospital  
89 29 payments as specified in this division. The department shall  
89 30 notify the governor, the persons designated by this Act to  
89 31 receive reports, and the Code editor concerning the center's  
89 32 approval or denial of the state plan amendment.

89 33 DIVISION VII  
89 34 CODE CHANGES

89 35 Sec. 87. Section 28.9, subsection 5, Code 2007, is amended  
90 1 to read as follows:

90 2 5. ~~A community empowerment gifts and grants first years~~  
90 3 ~~first~~ account is created in the Iowa empowerment fund under  
90 4 the authority of the department of management. The account  
90 5 shall consist of gift or grant moneys obtained from any  
90 6 source, including but not limited to the federal government.  
90 7 Moneys credited to the account are appropriated to the  
90 8 department of management to be used for the community  
90 9 empowerment-related purposes for which the moneys were  
90 10 received.

90 11 Sec. 88. Section 135.22B, subsections 3 and 4, Code  
90 12 Supplement 2007, are amended to read as follows:

90 13 3. PURPOSE. The purpose of the brain injury services  
90 14 program is to provide services, service funding, or other  
90 15 support for persons with a brain injury under ~~one of the~~  
90 16 ~~cost=share program component or other components established~~  
90 17 pursuant to this section. Implementation of the cost=share  
90 18 component or any other component of the program is subject to  
90 19 the funding made available for the program.

90 20 4. GENERAL REQUIREMENTS -- ~~WAIVER-ELIGIBLE COMPONENT.~~

90 21 a. ~~The component of the brain injury services program for~~  
90 22 ~~persons eligible for the brain injury services waiver is~~  
90 23 ~~subject to the requirements provided in this subsection.~~

90 24 b. ~~If a person is eligible for the brain injury services~~  
90 25 ~~waiver and is on the waiting list for the waiver but the~~  
90 26 ~~appropriation for the medical assistance program does not have~~  
90 27 ~~sufficient funding designated to pay the nonfederal share of~~  
90 28 ~~the costs to remove the person from the waiting list, the~~  
90 29 ~~brain injury services program may provide the funding for the~~  
90 30 ~~nonfederal share of the costs in order for the person to be~~  
90 31 ~~removed from the waiting list and receive services under the~~  
90 32 ~~waiver.~~

90 33 c. ~~A person who receives support under the waiver-eligible~~  
90 34 ~~component is not eligible to receive support under the~~  
90 35 ~~cost=share component of the program.~~

91 1 d. ~~Provision of funding under the waiver-eligible~~  
91 2 ~~component is not an entitlement. Subject to the department of~~  
91 3 ~~human services requirements for the brain injury services~~  
91 4 ~~waiver waiting list, the program administrator shall make the~~  
91 5 ~~final determination whether funding will be authorized under~~  
91 6 ~~this component.~~

91 7 Sec. 89. Section 135.22B, subsection 5, unnumbered  
91 8 paragraph 1, Code Supplement 2007, is amended to read as  
91 9 follows:

91 10 The cost=share component of the brain injury services  
91 11 program shall be directed to persons who have been determined  
91 12 to be ineligible for the brain injury services waiver or  
91 13 persons who are eligible for the waiver but funding was not  
91 14 authorized or available to provide waiver eligibility for the  
91 15 persons ~~under the waiver-eligible component~~. The cost=share  
91 16 component is subject to general requirements which shall  
91 17 include but are not limited to all of the following:

91 18 Sec. 90. Section 135.22B, subsection 8, paragraph a, Code  
91 19 Supplement 2007, is amended to read as follows:

91 20 a. The application materials for services under ~~both the~~  
91 21 ~~waiver-eligible and cost=share components~~ component of the  
91 22 brain injury services program shall use the application form  
91 23 and other materials of the brain injury services waiver. In  
91 24 order to apply for the brain injury services program, the  
91 25 applicant must authorize the department of human services to  
91 26 provide the applicant's waiver application materials to the  
91 27 brain injury services program. The application materials  
91 28 provided shall include but are not limited to the waiver  
91 29 application and any denial letter, financial assessment, and  
91 30 functional assessment regarding the person.

91 31 Sec. 91. NEW SECTION. 135.155 EARLY CHILDHOOD IOWA  
91 32 COUNCIL.

91 33 1. COUNCIL CREATED. An early childhood Iowa council is  
91 34 created as an alliance of stakeholders in early care, health,  
91 35 and education systems that affect children ages zero through  
92 1 five in Iowa.

92 2 2. PURPOSE. The purpose of the early childhood Iowa  
92 3 council is to oversee the development of an Iowa early  
92 4 childhood system by integrating the early care, health, and  
92 5 education systems addressing the needs of children ages zero  
92 6 through five and their families. The council shall advise the  
92 7 governor, general assembly, and public and private policy  
92 8 bodies and service providers in addressing its purpose.

92 9 3. VISION STATEMENT. All system development activities  
92 10 addressed by the early childhood Iowa council shall be aligned  
92 11 around the following vision statement for the children of  
92 12 Iowa: "Every child, beginning at birth, will be healthy and  
92 13 successful."

92 14 4. MEMBERSHIP. The early childhood Iowa council  
92 15 membership shall include a representative of any organization  
92 16 that touches the lives of young children in the state ages  
92 17 zero through five, has endorsed the purpose and vision  
92 18 statement for the council, has endorsed the guiding principles  
92 19 adopted by the council for the early childhood system, and has  
92 20 formally asked to be a member and remains actively engaged in  
92 21 council activities. The council shall designate additional  
92 22 members to ensure there is geographic, cultural, and ethnic  
92 23 diversity among the membership.

92 24 5. PROCEDURE. Except as otherwise provided by law, the  
92 25 early childhood Iowa council shall determine its own rules of  
92 26 procedure and operating provisions.

92 27 6. STEERING COMMITTEE. The early childhood Iowa council  
92 28 shall operate with a steering committee to organize, manage,  
92 29 and coordinate the activities of the council and its component  
92 30 groups. The steering committee may act on behalf of the  
92 31 council as necessary. The steering committee membership shall  
92 32 consist of the co-chairpersons of the council's component  
92 33 groups, the chairperson of the state agency liaison team, the  
92 34 community empowerment facilitator or the facilitator's  
92 35 designee, and other leaders designated by the council.

93 1 7. COMPONENT GROUPS. The early childhood Iowa council  
93 2 shall establish component groups to address the key components  
93 3 of the Iowa early childhood system. Each component group  
93 4 shall have one private and one public agency co-chairperson.  
93 5 The council may change the component groups as deemed  
93 6 necessary by the advisory council. Initially, there shall be  
93 7 a component group for each of the following:

- 93 8 a. Governance planning and administration.
- 93 9 b. Professional development.
- 93 10 c. Public engagement.
- 93 11 d. Quality services and programs.
- 93 12 e. Resources and funding.
- 93 13 f. Results accountability.

93 14 8. STATE AGENCY LIAISON TEAM. A state agency liaison team  
93 15 shall support the efforts of the early childhood Iowa council.  
93 16 In addition to designees of the governor, the team shall  
93 17 consist of the directors or chief administrators, or their  
93 18 designees, from the following state agencies and programs:

- 93 19 a. Child health specialty clinics.
- 93 20 b. Office of community empowerment in the department of  
93 21 management.
- 93 22 c. Department of education.
- 93 23 d. Office of the governor.
- 93 24 e. Department of human rights.
- 93 25 f. Department of human services.
- 93 26 g. Iowa state university extension service.
- 93 27 h. Department of public health.

93 28 9. DUTIES. In addition to the advisory function specified  
93 29 in subsection 2, the early childhood Iowa council's duties  
93 30 shall include but are not limited to all of the following  
93 31 regarding the Iowa early childhood system:

- 93 32 a. Adopt and update a strategic plan for developing the  
93 33 system.
- 93 34 b. Regularly assess progress in implementing the strategic  
93 35 plan.
- 94 1 c. Review, design, and participate in cross-functional  
94 2 proposals.
- 94 3 d. Develop a common understanding of all parts of the  
94 4 system.
- 94 5 e. Assess, understand, and respond to internal and  
94 6 external threats to the system.
- 94 7 f. Serve as a liaison to constituency groups.
- 94 8 g. Move the system toward seamless services to children  
94 9 and families through braided funding streams.
- 94 10 h. Maximize resources and expertise across the system.
- 94 11 i. Agree on common language and terminology for the  
94 12 system.
- 94 13 j. Develop a menu of best practices and rationales for  
94 14 quality services.
- 94 15 k. Encourage personal relationships across disciplines.
- 94 16 l. Serve as an advocate for the system.
- 94 17 m. Identify guiding principles for the early childhood  
94 18 system and the agencies providing services in the system.
- 94 19 n. Work with the Iowa empowerment board in developing  
94 20 public-private partnerships to support the early childhood  
94 21 system through the first years first account in the Iowa  
94 22 empowerment fund and other efforts for expanding investment of  
94 23 private funding in the early childhood system. As this and  
94 24 similar efforts to expand and coordinate investments from all  
94 25 public and private sources evolve and mature, make  
94 26 recommendations for designation of or contracting with a  
94 27 private nonprofit organization to serve as a fiscal agent for  
94 28 the early childhood system or another approach for increasing  
94 29 public and private investment in the system.
- 94 30 o. Report annually by December 31 to the governor and  
94 31 general assembly. The report content shall include but is not  
94 32 limited to all of the following:
  - 94 33 (1) The status and results of the council's efforts to  
94 34 engage the public regarding the early care, health, and

94 35 education needs of children ages zero through five and the  
95 1 efforts to develop and promote private sector involvement with  
95 2 the early childhood system.

95 3 (2) The status of the efforts to improve the key  
95 4 components of the early childhood system and the progress in  
95 5 achieving the results identified for the key components.

95 6 (3) The status of the community empowerment initiative and  
95 7 the overall early childhood system in achieving the following  
95 8 initial set of desired results identified in section 28.2:

- 95 9 (a) Healthy children.
- 95 10 (b) Children ready to succeed in school.
- 95 11 (c) Safe and supportive communities.
- 95 12 (d) Secure and nurturing families.
- 95 13 (e) Secure and nurturing early care and education

95 14 environments.

95 15 Sec. 92. NEW SECTION. 135.156 LEAD AGENCY AND OTHER  
95 16 STATE AGENCIES.

95 17 1. The lead agency for support of the early childhood Iowa  
95 18 council for state agency efforts to develop an early childhood  
95 19 system for Iowa shall be the department of public health.

95 20 2. The department shall work with the early childhood Iowa  
95 21 council in integrating early care, health, and education  
95 22 systems to develop an early childhood system for Iowa. The  
95 23 department shall do all of the following in developing the  
95 24 system:

95 25 a. Work with state agencies to enter into memorandums of  
95 26 understanding outlining the agencies' responsibilities in the  
95 27 system.

95 28 b. Work with private businesses, foundations, and  
95 29 nonprofit organizations in implementing a public-private  
95 30 partnership to develop and provide funding for the system.

95 31 c. Maintain an internet site for distributing the  
95 32 information provided through the council and its component  
95 33 groups.

95 34 Sec. 93. Section 135H.3, Code 2007, is amended to read as  
95 35 follows:

96 1 135H.3 NATURE OF CARE.

96 2 1. A psychiatric medical institution for children shall  
96 3 utilize a team of professionals to direct an organized program  
96 4 of diagnostic services, psychiatric services, nursing care,  
96 5 and rehabilitative services to meet the needs of residents in  
96 6 accordance with a medical care plan developed for each  
96 7 resident. Social and rehabilitative services shall be  
96 8 provided under the direction of a qualified mental health  
96 9 professional.

96 10 2. A child who requires treatment for a biologically based  
96 11 mental illness as defined in section 514C.22, and meets the  
96 12 medical assistance program criteria for admission to a  
96 13 psychiatric medical institution for children shall be deemed  
96 14 to meet the acuity criteria for inpatient benefits under a  
96 15 group policy, contract, or plan providing for third-party  
96 16 payment or prepayment of health, medical, and surgical  
96 17 coverage benefits issued by a carrier, as defined in section  
96 18 513B.2, or by an organized delivery system authorized under  
96 19 1993 Iowa Acts, chapter 158, that is subject to section  
96 20 514C.22.

96 21 Sec. 94. Section 217.19, Code 2007, is amended by adding  
96 22 the following new unnumbered paragraph:

96 23 NEW UNNUMBERED PARAGRAPH. The department of administrative  
96 24 services shall work with the department of human services to  
96 25 develop and implement an expense policy applicable to the  
96 26 members of a board, commission, committee, or other body under  
96 27 the auspices of the department of human services who meet the  
96 28 income requirements for payment of per diem in accordance with  
96 29 section 7E.6, subsection 2. The policy shall allow for the  
96 30 payment of the member's expenses to be addressed through use  
96 31 of direct billings, travel purchase card, prepaid expenses, or  
96 32 other alternative means of addressing the expenses in lieu of  
96 33 reimbursement of the member.

96 34 Sec. 95. Section 237A.13, Code Supplement 2007, is amended  
96 35 by adding the following new subsection:

97 1 NEW SUBSECTION. 8A. The department of human services, the  
97 2 department of management, and the legislative services agency  
97 3 shall utilize a joint process to arrive at a consensus  
97 4 projection for state child care assistance program  
97 5 expenditures. The projection shall be issued at least  
97 6 quarterly.

97 7 Sec. 96. NEW SECTION. 249A.36 BEHAVIORAL HEALTH SERVICES  
97 8 == CONTRACTING REQUIREMENTS == APPEALS OF CLAIMS DENIED ==  
97 9 FUNDING == SEPARATE ACCOUNT.

97 10 1. Beginning May 1, 2008, and thereafter, any contract

97 11 between the department and a third-party administrator to  
97 12 administer behavioral health services under the medical  
97 13 assistance program shall meet all of the following  
97 14 requirements:

97 15 a. The administrative fee negotiated between the  
97 16 third-party administrator and the department for the services  
97 17 provided by the third-party administrator shall be the entire  
97 18 consideration for all services provided by the third-party  
97 19 administrator.

97 20 b. Any contract entered into between the department and a  
97 21 third-party administrator shall prohibit retention by the  
97 22 third-party administrator of interest generated on payments  
97 23 made by the department to the third-party administrator.

97 24 c. Funds that are not used to pay for behavioral health  
97 25 services and held in escrow by the third-party administrator  
97 26 and any interest earned on such funds shall be remitted to the  
97 27 department within thirty days of the receipt or generation of  
97 28 such funds.

97 29 d. A claim submitted for behavioral health services  
97 30 provided to a recipient of medical assistance that meets all  
97 31 of the following conditions is prima facie evidence that the  
97 32 claim is eligible for reimbursement for the purpose of an  
97 33 appeal:

97 34 (1) A mental health professional provides an in-person  
97 35 consultation to a recipient of medical assistance.

98 1 (2) The mental health professional delivers or directs  
98 2 behavioral health services to be delivered to the recipient of  
98 3 medical assistance, and the behavioral health service  
98 4 delivered is a qualified service under the medical assistance  
98 5 program.

98 6 (3) The mental health professional certifies that in the  
98 7 professional judgment of the mental health professional the  
98 8 service is necessary for the safety of the recipient of  
98 9 medical assistance.

98 10 2. a. The department shall establish a behavioral health  
98 11 care provider appeals panel.

98 12 b. The panel shall consist of all of the following  
98 13 members:

98 14 (1) Three mental health professionals who are not employed  
98 15 by either the department or the third-party administrator,  
98 16 appointed by the three largest providers of behavioral health  
98 17 services in the state.

98 18 (2) A designee of the department.

98 19 (3) A designee of the association of behavioral health  
98 20 services.

98 21 c. The provider appeals panel shall hear appeals on denial  
98 22 of claims for behavioral health services under the medical  
98 23 assistance program. The department shall adopt an appeals  
98 24 process by rule.

98 25 d. A provider or a third-party administrator may appeal  
98 26 the decision of the provider appeals panel to the director of  
98 27 the department, whose written decision shall be a final agency  
98 28 action and may be appealed pursuant to section 17A.19.

98 29 3. a. The department shall maintain a separate account  
98 30 for all funds appropriated, allocated, or otherwise available  
98 31 for payment of behavioral health services provided under the  
98 32 medical assistance program, to be administered by the  
98 33 department. The account shall include all of the following:

98 34 (1) The total state appropriation for payment of  
98 35 behavioral health services under the medical assistance  
99 1 program.

99 2 (2) Any interest generated from the funds in the account.

99 3 (3) Unutilized funds and interest on the funds remitted to  
99 4 the department by a third-party administrator.

99 5 b. Notwithstanding section 8.33, funds remaining in the  
99 6 account that remain unencumbered or unobligated at the end of  
99 7 any fiscal year shall not revert but shall remain available in  
99 8 succeeding fiscal years for any of the following purposes:

99 9 (1) Funding for additional mental health professional  
99 10 residency programs in this state.

99 11 (2) Investment in acute or nonacute mental health centers  
99 12 for adults and children.

99 13 (3) Reimbursement of providers of behavioral health  
99 14 services.

99 15 4. The department shall adopt rules and amend the medical  
99 16 assistance state plan, as necessary, to administer this  
99 17 section.

99 18 5. For the purposes of this section, "behavioral health  
99 19 services" means services provided for the treatment of mental  
99 20 disorders, emotional disorders, and chemical dependency  
99 21 disorders as specified by rule of the department, and "mental

99 22 health professional" means mental health professional as  
99 23 defined in section 228.1.  
99 24 Sec. 97. Section 249J.23, subsection 3, Code 2007, is  
99 25 amended to read as follows:  
99 26 3. a. Moneys deposited in the account for health care  
99 27 transformation shall be used only as provided in  
99 28 appropriations from the account for the costs associated with  
99 29 certain services provided to the expansion population pursuant  
99 30 to section 249J.6, certain initiatives to be designed pursuant  
99 31 to section 249J.8, the case-mix adjusted reimbursement system  
99 32 for persons with mental retardation or developmental  
99 33 disabilities pursuant to section 249J.12, certain health  
99 34 promotion partnership activities pursuant to section 249J.14,  
99 35 the cost and quality performance evaluation pursuant to  
100 1 section 249J.16, auditing requirements pursuant to section  
100 2 249J.22, the provision of additional indigent patient care and  
100 3 treatment, and administrative costs associated with this  
100 4 chapter including administrative costs as specified in  
100 5 paragraph "b".

100 6 b. Notwithstanding any provision of this chapter to the  
100 7 contrary, the department shall reimburse the publicly owned  
100 8 acute care teaching hospital located in a county with a  
100 9 population over three hundred fifty thousand that is a  
100 10 participating provider in the expansion population provider  
100 11 network, for the hospital's administrative costs associated  
100 12 with participation in the IowaCare program. Reimbursable  
100 13 costs shall include the hospital's costs for claims data  
100 14 submission and the costs of salaries and benefits for the  
100 15 additional hospital employees necessary to perform program  
100 16 preauthorizations, verifications, and claims processing.  
100 17 Reimbursement shall be made on a monthly basis. Such  
100 18 reimbursement shall be in addition to funds received through  
100 19 the annual appropriation to the hospital from the IowaCare  
100 20 account for medical and surgical care and treatment of  
100 21 indigent patients and for medical education pursuant to  
100 22 section 249J.24.

100 23 Sec. 98. NEW SECTION. 256.35A IOWA AUTISM COUNCIL.

100 24 1. An Iowa autism council is created to act in an advisory  
100 25 capacity to the state in developing and implementing a  
100 26 comprehensive, coordinated system to provide appropriate  
100 27 diagnostic, intervention, and support services for children  
100 28 with autism and to meet the unique needs of adults with  
100 29 autism.

100 30 2. a. The council shall consist of thirteen voting  
100 31 members appointed by the governor and confirmed by the senate.  
100 32 The majority of the voting members shall be individuals with  
100 33 autism or members of their families. Additionally, each of  
100 34 the following shall be represented among the voting members:

100 35 (1) Autism diagnostic and research specialists.  
101 1 (2) Individuals with recognized expertise in utilizing  
101 2 best practices for diagnosis, intervention, education, and  
101 3 support services for individuals with autism.  
101 4 (3) Individuals providing residential services for  
101 5 individuals with autism.  
101 6 (4) Medical professionals with background or expertise in  
101 7 a pertinent medical field such as psychiatry or behavioral  
101 8 science.

101 9 (5) Private insurers.  
101 10 (6) Teachers and representatives of area education  
101 11 agencies.

101 12 b. In addition, representatives of the department of  
101 13 education, the division of vocational rehabilitation of the  
101 14 department of education, the department of public health, the  
101 15 department of human services, the governor's developmental  
101 16 disabilities council, the division of insurance of the  
101 17 department of commerce, and the state board of regents shall  
101 18 serve as ex officio members of the advisory council. Ex  
101 19 officio members shall work together in a collaborative manner  
101 20 to serve as a resource to the advisory council. The council  
101 21 may also form workgroups as necessary to address specific  
101 22 issues within the technical purview of individual members.

101 23 c. Voting members shall serve three-year terms beginning  
101 24 and ending as provided in section 69.19, and appointments  
101 25 shall comply with sections 69.16 and 69.16A. Vacancies on the  
101 26 council shall be filled in the same manner as the original  
101 27 appointment. A person appointed to fill a vacancy shall serve  
101 28 only for the unexpired portion of the term. Public members  
101 29 shall receive reimbursement for actual expenses incurred while  
101 30 serving in their official capacity and may also be eligible to  
101 31 receive compensation as provided in section 7E.6.

101 32 d. The council shall elect a chairperson from its voting

101 33 members annually. A majority of the voting members of the  
101 34 council shall constitute a quorum.  
101 35 e. The department shall convene and provide administrative  
102 1 support to the council.  
102 2 3. The council shall focus its efforts on addressing the  
102 3 unmet needs of individuals with autism at various levels of  
102 4 severity and their families. The council shall address all of  
102 5 the following:  
102 6 a. Early identification by medical professionals of  
102 7 autism, including education and training of health care and  
102 8 mental health care professionals and the use of best practice  
102 9 guidelines.  
102 10 b. Appropriate early and intensive early intervention  
102 11 services with access to models of training.  
102 12 c. Integration and coordination of the medical community,  
102 13 community educators, childhood educators, health care  
102 14 providers, and community-based services into a seamless  
102 15 support system for individuals and their families.  
102 16 d. General and special education support services.  
102 17 e. In-home support services for families requiring  
102 18 behavioral and other supports.  
102 19 f. Training for educators, parents, siblings, and other  
102 20 family members.  
102 21 g. Enhancing of community agency responsiveness to the  
102 22 living, learning, and employment needs of adults with autism  
102 23 and provision of services including but not limited to respite  
102 24 services, crisis intervention, employment assistance, case  
102 25 management, and long-term care options.  
102 26 h. Financing options including but not limited to medical  
102 27 assistance waivers and private health insurance coverage.  
102 28 i. Data collection.

102 29 4. The council shall meet quarterly. The council shall  
102 30 submit a report to the governor and the general assembly,  
102 31 annually by December 15, identifying the needs and making  
102 32 recommendations for improving and enhancing the lives of  
102 33 individuals with autism and their families.  
102 34 5. For the purposes of this section, "autism" means a  
102 35 spectrum disorder that includes at various levels of severity,

103 1 autism, Asperger's disorder, pervasive developmental disorder,  
103 2 Rett's syndrome, and childhood disintegrative disorder.

103 3 Sec. 99. Section 514I.6, Code 2007, is amended by adding  
103 4 the following new subsection:  
103 5 NEW SUBSECTION. 7. Provide qualified child health plans  
103 6 to eligible children. A participating insurer shall not  
103 7 require participation by a provider in other health insurance  
103 8 products of the participating insurer as a condition of  
103 9 participation in the qualified child health plan.

103 10 Sec. 100. EFFECTIVE DATES AND RETROACTIVE APPLICABILITY.  
103 11 1. The section of this division of this Act enacting  
103 12 section 249A.36, being deemed of immediate importance, takes  
103 13 effect upon enactment and is retroactively applicable to May  
103 14 1, 2008.

103 15 2. The section of this division of this Act amending  
103 16 section 249J.23, being deemed of immediate importance, takes  
103 17 effect upon enactment and is retroactively applicable to July  
103 18 1, 2005.

103 19 DIVISION VIII  
103 20 INDIVIDUAL DEVELOPMENT ACCOUNTS  
103 21 Sec. 101. Section 422.7, subsection 28, paragraph b, Code  
103 22 Supplement 2007, is amended to read as follows:

103 23 b. The amount of any savings refund or state match  
103 24 payments authorized under section 541A.3, subsection 1.

103 25 Sec. 102. Section 541A.1, subsection 2, Code 2007, is  
103 26 amended to read as follows:

103 27 2. "Administrator" means the division of community action  
103 28 agencies of the department of human services rights.

103 29 Sec. 103. Section 541A.1, Code 2007, is amended by adding  
103 30 the following new subsection:

103 31 NEW SUBSECTION. 5A. "Household income" means the annual  
103 32 household income of an account holder or prospective account  
103 33 holder, as determined in accordance with rules adopted by the  
103 34 administrator.

103 35 Sec. 104. Section 541A.2, subsection 4, paragraph a, Code  
104 1 2007, is amended by adding the following new subparagraphs:

104 2 NEW SUBPARAGRAPH. (7) A purpose approved in accordance  
104 3 with rule for a refugee individual development account.

104 4 NEW SUBPARAGRAPH. (8) Purchase of an automobile.

104 5 NEW SUBPARAGRAPH. (9) Purchase of assistive technology,  
104 6 home or vehicle modification, or other device or physical  
104 7 improvement to assist an account holder or family member with  
104 8 a disability.

104 9 NEW SUBPARAGRAPH. (10) Other purpose approved in  
104 10 accordance with rule that is intended to move the account  
104 11 holder or a family member toward a higher degree of  
104 12 self-sufficiency.  
104 13 Sec. 105. Section 541A.2, subsection 10, Code 2007, is  
104 14 amended to read as follows:  
104 15 10. The total amount of sources of principal which may be  
104 16 in an individual development account shall be limited to fifty  
104 17 thirty thousand dollars.  
104 18 Sec. 106. Section 541A.3, Code 2007, is amended to read as  
104 19 follows:  
104 20 541A.3 INDIVIDUAL DEVELOPMENT ACCOUNTS == REFUND STATE  
104 21 MATCH AND TAX PROVISIONS.  
104 22 All of the following state match and tax provisions shall  
104 23 apply to an individual development account:  
104 24 1. a. Payment by the state of a state savings refund  
104 25 match on amounts of up to two thousand dollars per calendar  
104 26 year that an account holder deposits in the account holder's  
104 27 account. To be eligible to receive a state match an account  
104 28 holder must have a household income that is equal to or less  
104 29 than two hundred percent of the federal poverty level.  
104 30 b. Moneys transferred to an individual development account  
104 31 from another individual development account and a savings  
104 32 refund state match received by the account holder in  
104 33 accordance with this section shall not be considered an  
104 34 account holder deposit for purposes of determining a savings  
104 35 refund state match.  
105 1 c. Payment of a savings refund state match either shall be  
105 2 made directly to the account holder or to an operating  
105 3 organization's central reserve account for later distribution  
105 4 to the account holder in the most appropriate manner as  
105 5 determined by the administrator.  
105 6 d. The Subject to the limitation in paragraph "a", the  
105 7 state savings refund match shall be the indicated percentage  
105 8 of equal to one hundred percent of the amount deposited+ by  
105 9 the account holder. However, the administrator may limit,  
105 10 reduce, delay, or otherwise revise state match payment  
105 11 provisions as necessary to restrict the payments to the  
105 12 funding available.  
105 13 a. For an account holder with a household income, as  
105 14 defined in section 425.17, subsection 6, which is one hundred  
105 15 fifty percent or less of the federal poverty level,  
105 16 twenty-five percent.  
105 17 b. For an account holder with a household income which is  
105 18 more than one hundred fifty percent but less than one hundred  
105 19 seventy-five percent of the federal poverty level, twenty  
105 20 percent.  
105 21 c. For an account holder with a household income which is  
105 22 one hundred seventy-five percent or more but not more than two  
105 23 hundred percent of the federal poverty level, fifteen percent.  
105 24 d. For an account holder with a household income which is  
105 25 more than two hundred percent of the federal poverty level,  
105 26 zero percent.  
105 27 2. Income earned by an individual development account is  
105 28 not subject to state tax, in accordance with the provisions of  
105 29 section 422.7, subsection 28.  
105 30 3. Amounts transferred between individual development  
105 31 accounts are not subject to state tax.  
105 32 4. The administrator shall work with the United States  
105 33 secretary of the treasury and the state's congressional  
105 34 delegation as necessary to secure an exemption from federal  
105 35 taxation for individual development accounts and the earnings  
106 1 on those accounts. The administrator shall report annually to  
106 2 the governor and the general assembly concerning the status of  
106 3 federal approval.  
106 4 5- 4. The administrator shall coordinate the filing of  
106 5 claims for a state savings refunds match authorized under  
106 6 subsection 1, between account holders, and operating  
106 7 organizations, and the department of administrative services.  
106 8 Claims approved by the administrator may be paid by the  
106 9 department of administrative services to each account holder,  
106 10 for an aggregate amount for distribution to the holders of the  
106 11 accounts in a particular financial institution, or to an  
106 12 operating organization's central reserve account for later  
106 13 distribution to the account holders depending on the  
106 14 efficiency for issuing the refunds state match payments.  
106 15 Claims shall be initially filed with the administrator on or  
106 16 before a date established by the administrator. Claims  
106 17 approved by the administrator shall be paid from the general  
106 18 fund of the state in the manner specified in section 422.74  
106 19 individual development account state match fund.

106 20 Sec. 107. Section 541A.5, Code 2007, is amended to read as  
106 21 follows:

106 22 541A.5 RULES.

106 23 1. ~~The administrator commission on community action~~  
106 24 ~~agencies created in section 216A.92A~~, in consultation with the  
106 25 department of administrative services, shall adopt  
106 26 administrative rules to administer this chapter.

106 27 2. a. The rules adopted by the ~~administrator commission~~  
106 28 shall include but are not limited to provision for transfer of  
106 29 an individual development account to a different financial  
106 30 institution than originally approved by the administrator, if  
106 31 the different financial institution has an agreement with the  
106 32 account's operating organization.

106 33 b. ~~The rules for determining household income may provide~~  
106 34 ~~categorical eligibility for prospective account holders who~~  
106 35 ~~are enrolled in programs with income eligibility restrictions~~  
107 1 ~~that are equal to or less than the maximum household income~~  
107 2 ~~allowed for payment of a state match under section 541A.3.~~

107 3 c. ~~Subject to the availability of funding, the commission~~  
107 4 ~~may adopt rules implementing an individual development account~~  
107 5 ~~program for refugees. Rules shall identify purposes approved~~  
107 6 ~~for withdrawals to meet the special needs of refugee families.~~

107 7 3. ~~The administrator shall utilize a request for proposals~~  
107 8 ~~process for selection of operating organizations and approval~~  
107 9 ~~of financial institutions.~~

107 10 Sec. 108. Section 541A.6, Code 2007, is amended to read as  
107 11 follows:

107 12 541A.6 COMPLIANCE WITH FEDERAL REQUIREMENTS.

107 13 The ~~administrator commission on community action agencies~~  
107 14 shall adopt rules for compliance with federal individual  
107 15 development account requirements under the federal Personal  
107 16 Responsibility and Work Opportunity Reconciliation Act of  
107 17 1996, } 103, as codified in 42 U.S.C. } 604(h), under the  
107 18 federal Assets for Independence Act, Pub. L. No. 105=285,  
107 19 Title IV, or with any other federal individual development  
107 20 account program requirements, ~~as necessary for the state to~~  
107 21 ~~qualify to use federal temporary assistance for needy families~~  
107 22 ~~block grant funding or other available for drawing federal~~  
107 23 ~~funding for allocation to operating organizations. Any rules~~  
107 24 ~~adopted under this section shall not apply the federal~~  
107 25 ~~individual development account program requirements to an~~  
107 26 ~~operating organization which does not utilize federal funding~~  
107 27 ~~for the accounts with which it is connected or to an account~~  
107 28 ~~holder who does not receive temporary assistance for needy~~  
107 29 ~~families block grant or other federal funding.~~

107 30 Sec. 109. NEW SECTION. 541A.7 INDIVIDUAL DEVELOPMENT  
107 31 ACCOUNT STATE MATCH FUND.

107 32 1. An individual development account state match fund is  
107 33 created in the state treasury under the authority of the  
107 34 administrator. Notwithstanding section 8.33, moneys  
107 35 appropriated to the fund shall not revert to any other fund.  
108 1 Notwithstanding section 12C.7, subsection 2, interest or  
108 2 earnings on moneys deposited in the fund shall be credited to  
108 3 the fund.

108 4 2. Moneys available in the fund for a fiscal year are  
108 5 appropriated to the administrator to be used to provide the  
108 6 state match for account holder deposits in accordance with  
108 7 section 541A.3. At least eighty=five percent of the amount  
108 8 appropriated shall be used for state match payments and the  
108 9 remainder may be used for administrative costs.

108 10 Sec. 110. INDIVIDUAL DEVELOPMENT ACCOUNT RULES ==  
108 11 TRANSITION, EFFECTIVE DATE, AND APPLICABILITY.

108 12 1. The division of community action agencies of the  
108 13 department of human rights shall administer individual  
108 14 development accounts in accordance with the administrative  
108 15 rules pertaining to the accounts in 441 IAC ch. 10, in place  
108 16 of the department of human services until replacement  
108 17 administrative rules are adopted. The commission on community  
108 18 action agencies may adopt emergency rules under section 17A.4,  
108 19 subsection 2, and section 17A.5, subsection 2, paragraph "b",  
108 20 to implement the provisions of this Act and the rules shall be  
108 21 effective immediately upon filing unless a later date is  
108 22 specified in the rules. Any rules adopted in accordance with  
108 23 this subsection shall also be published as a notice of  
108 24 intended action as provided in section 17A.4.

108 25 2. This division of this Act, being deemed of immediate  
108 26 importance, takes effect upon enactment.

108 27 3. The change from "savings refund" to "state match" as  
108 28 authorized in section 422.7, subsection 28, and section  
108 29 541A.3, as amended by this Act, is retroactively applicable to  
108 30 January 1, 2008, for the tax year commencing on January 1,

108 31 2008.

108 32 EXPLANATION

108 33 This bill relates to and makes appropriations for health  
108 34 and human services for FY 2008=2009 to the department of  
108 35 veterans affairs, the Iowa veterans home, the department of  
109 1 elder affairs, the department of public health, Iowa finance  
109 2 authority, state board of regents, department of inspections  
109 3 and appeals, and the department of human services.

109 4 GENERAL FUND AND BLOCK GRANT APPROPRIATIONS. This division  
109 5 appropriates funding from the general fund of the state for  
109 6 the department of elder affairs, the department of public  
109 7 health, and the department of veterans affairs.

109 8 The division appropriates funds from the gambling treatment  
109 9 fund in lieu of the standing appropriation in Code section  
109 10 135.150 for addictive disorders and provides for use of the  
109 11 funds remaining in the fund.

109 12 The division appropriates funding from the general fund of  
109 13 the state and the federal temporary assistance for needy  
109 14 families block grant to the department of human services. The  
109 15 allocation for the family development and self-sufficiency  
109 16 grant program is made directly to the department of human  
109 17 rights.

109 18 The reimbursement section addresses reimbursement for  
109 19 providers reimbursed by the department of human services.

109 20 This division also changes the method under 2001 Iowa Acts,  
109 21 chapter 192, by which increased reimbursement to certain  
109 22 nursing facilities is provided based upon accountability  
109 23 measures.

109 24 SENIOR LIVING TRUST FUND, PHARMACEUTICAL SETTLEMENT  
109 25 ACCOUNT, IOWACARE ACCOUNT, HEALTH CARE TRANSFORMATION ACCOUNT,  
109 26 AND PROPERTY TAX RELIEF FUND. This division makes  
109 27 appropriations for FY 2008=2009 from the senior living trust  
109 28 fund to the department of elder affairs, the department of  
109 29 human services, the department of inspections and appeals, and  
109 30 the Iowa finance authority.

109 31 The division makes an appropriation from the pharmaceutical  
109 32 settlement account to the department of human services to  
109 33 supplement the medical contracts appropriation.

109 34 The division makes appropriations from the IowaCare account  
109 35 to the state board of regents for distribution to the  
110 1 university of Iowa hospitals and clinics, and to the  
110 2 department of human services for distribution to a publicly  
110 3 owned acute care teaching hospital in a county with a  
110 4 population over 350,000, and to the state mental health  
110 5 institutes for purposes related to the IowaCare program and  
110 6 indigent care. The division makes an appropriation to the  
110 7 department of human services from the health care  
110 8 transformation account for various health care reform  
110 9 initiatives. The division includes a transfer from the  
110 10 account for health care transformation to the IowaCare  
110 11 account.

110 12 An appropriation is made from the property tax relief fund  
110 13 for the medical assistance program in lieu of distribution of  
110 14 certain revenues received from utility replacement generation  
110 15 tax revenues received as of November 1, 2007.

110 16 If the total amount appropriated from all sources for the  
110 17 medical assistance program for FY 2008=2009 exceeds the amount  
110 18 needed, the excess reverts to the senior living trust fund.

110 19 MH/MR/DD/BI SERVICES ALLOWED GROWTH FUNDING == FY  
110 20 2008=2009. This division provides for distribution of the  
110 21 services funding previously appropriated for FY 2008=2009.  
110 22 The previously made appropriation is revised and the brain  
110 23 injury services program distribution through the department of  
110 24 public health is eliminated. Code section 331.439, relating  
110 25 to county mental health, mental retardation, and developmental  
110 26 disabilities services plans, is amended to allow the  
110 27 department of human services to extend for good cause the  
110 28 county deadlines for reporting associated with the services.

110 29 The legislative council is requested to create a task force  
110 30 to consider county=state shared funding for the mental health  
110 31 and disability services covered by the Medicaid program.  
110 32 Additionally, the department of human services, division of  
110 33 mental health and disability services, is directed to appoint  
110 34 a stakeholder committee to work on updating Iowa law and rules  
110 35 pertaining to community mental health centers.

111 1 MH/MR/DD/BI SERVICES ALLOWED GROWTH FUNDING == FY  
111 2 2009=2010. This division provides the FY 2008=2009 allowed  
111 3 growth appropriation for distribution to counties and for the  
111 4 brain injury services program in the department of public  
111 5 health.

111 6 HEALTH CARE TRUST FUND. This division includes provisions

111 7 relating to health care and makes appropriations from the  
111 8 health care trust fund.

111 9 Appropriations are made from the health care trust fund to  
111 10 the department of public health for addictive disorders,  
111 11 healthy children and families, chronic conditions, and  
111 12 community capacity.

111 13 Funds are appropriated from the health care trust fund to  
111 14 the department of human services for medical assistance and  
111 15 mental health, mental retardation, and developmental  
111 16 disability (MH/MR/DD) services allowed growth. Under the  
111 17 appropriation for the medical assistance program, funding is  
111 18 specifically allocated for a grant to the Iowa healthcare  
111 19 collaborative. The appropriation for MH/MR/DD allowed growth  
111 20 is to be credited to the property tax relief fund from which  
111 21 it is appropriated in another part of the bill.

111 22 APPROPRIATION=RELATED CHANGES. This division provides  
111 23 appropriation=related changes and takes effect upon enactment.  
111 24 Code section 35D.18, requiring the Iowa veterans home to  
111 25 operate with a net general fund appropriation, is amended to  
111 26 remove a \$500,000 restriction on the amount of excess funding  
111 27 that may be carried forward at the close of a fiscal year.

111 28 A supplemental appropriation is made for FY 2007=2008 from  
111 29 the healthy Iowans tobacco trust to be credited to the  
111 30 juvenile detention home fund.

111 31 An allocation made in 2006 Iowa Acts, chapter 1184, for  
111 32 purposes of the decategorization of child welfare and juvenile  
111 33 justice funding initiative under Code section 232.188 is  
111 34 amended to provide that up to \$3,605,000 from the allocation  
111 35 and any other funding designated as carryover funding under  
112 1 the initiative that is unencumbered or unobligated at the  
112 2 close of fiscal year 2007=2008 will not revert as provided in  
112 3 Code section 232.188 but instead will remain to be used for  
112 4 the initiative in FY 2008=2009.

112 5 The appropriation made in 2007 Iowa Acts, chapter 176, for  
112 6 the Vietnam Conflict veterans bonus fund is amended to provide  
112 7 that the appropriation does not revert at the close of FY  
112 8 2007=2008 but remains available through the succeeding fiscal  
112 9 year.

112 10 The appropriation made in 2007 Iowa Acts, chapter 203, for  
112 11 the injured veterans grant program is amended to provide that  
112 12 the appropriation does not revert at the close of FY 2007=2008  
112 13 but remains available through the succeeding fiscal year.

112 14 The general fund appropriation to the department of elder  
112 15 affairs for the livable community initiative in 2007 Iowa  
112 16 Acts, chapter 215, is amended to provide the appropriation  
112 17 does not revert at the close of FY 2007=2008 but remains  
112 18 available to be used for the same purpose in the succeeding  
112 19 fiscal year.

112 20 Allocations made in appropriations to the department of  
112 21 public health in 2007 Iowa Acts, chapter 218, section 2, for  
112 22 patients who have phenylketonuria (PKU) and for management of  
112 23 the antiviral stockpile that remain at the close of the fiscal  
112 24 year are carried forward to be used for the same purposes in  
112 25 the succeeding fiscal year.

112 26 The general fund appropriation made to the department of  
112 27 veterans affairs in 2007 Iowa Acts, chapter 218, section 4,  
112 28 subsection 1, for departmental administration is amended to  
112 29 provide that the appropriation does not revert at the close of  
112 30 FY 2007=2008 but remains available through the succeeding  
112 31 fiscal year to be used for the veterans cemetery sign and  
112 32 other necessary expenses.

112 33 The general fund appropriation made for purposes of the  
112 34 county grant program for veterans in 2007 Iowa Acts, chapter  
112 35 218, section 4, subsection 4, will remain available to be used  
113 1 for the program in the succeeding fiscal year rather than be  
113 2 credited to the veterans trust fund.

113 3 A portion of the appropriation of federal temporary  
113 4 assistance for needy families (TANF) block grant made in 2007  
113 5 Iowa Acts, chapter 218, section 7, to the department of human  
113 6 services for the family investment program is shifted to the  
113 7 appropriation from the block grant for state child care  
113 8 assistance and a portion is then transferred to the federal  
113 9 child care and development block grant.

113 10 Of the funds appropriated from the general fund to the  
113 11 department of human services for fiscal year 2007=2008 in 2007  
113 12 Iowa Acts, chapter 218, section 15, for the state children's  
113 13 health insurance program, up to \$441,000 that remains  
113 14 available at the close of the fiscal year is to be transferred  
113 15 to the appropriation from child care assistance until the  
113 16 close of the succeeding fiscal year.

113 17 Existing authority for DHS to transfer funds appropriated

113 18 in 2007 Iowa Acts, chapter 218, section 18, for child and  
113 19 family services that would have otherwise been paid under  
113 20 another appropriation is expanded to include services that  
113 21 would have otherwise been reimbursed under the appropriation  
113 22 for child care assistance.

113 23 Of the general fund moneys allocated for the  
113 24 decategorization of child welfare funding for fiscal year  
113 25 2007=2008 in 2007 Iowa Acts, chapter 218, section 18,  
113 26 subsection 5, that if unexpended at the close of the fiscal  
113 27 year would otherwise be available for the succeeding fiscal  
113 28 year, up to \$6.1 million is transferred to the appropriation  
113 29 made for the child care assistance to be used for the state  
113 30 child care assistance program for the succeeding fiscal year.

113 31 Of the fiscal year 2007=2008 general fund appropriation to  
113 32 DHS in 2007 Iowa Acts, chapter 218, section 18, for child and  
113 33 family services remaining unexpended at the close of the  
113 34 fiscal year, up to \$3.7 million is transferred to the  
113 35 appropriation for child care assistance to be used for the  
114 1 state child care assistance program until the close of the  
114 2 succeeding fiscal year.

114 3 The requirements for distribution of the moneys  
114 4 appropriated to DHS from the juvenile detention home fund in  
114 5 2007 Iowa Acts, chapter 218, section 20, are revised to  
114 6 increase the amount distributed to such homes and to decrease  
114 7 and eliminate other allocations. Any remainder is required to  
114 8 be transferred to the appropriation for child and family  
114 9 services.

114 10 Of the general fund appropriation made to the department of  
114 11 human services for field operations for fiscal year 2007=2008  
114 12 in 2007 Iowa Acts, chapter 218, section 28, approximately \$1.1  
114 13 million of the amount remaining unexpended at the close of the  
114 14 fiscal year may be carried forward to be used in the  
114 15 succeeding fiscal year.

114 16 Of the general fund appropriation made to the department of  
114 17 human services for general administration for fiscal year  
114 18 2007=2008 in 2007 Iowa Acts, chapter 218, section 29, \$1  
114 19 million is transferred to the juvenile detention home fund and  
114 20 up to \$110,000 of any amount remaining unexpended at the close  
114 21 of the fiscal year may be carried forward to be used in the  
114 22 succeeding fiscal year.

114 23 This division eliminates a provision in 2007 Iowa Acts,  
114 24 chapter 218, section 31, allowing for adjustment of the  
114 25 pharmacy dispensing fee to compensate for any reduction in  
114 26 drug product cost reimbursement resulting from federal  
114 27 legislation.

114 28 Moneys appropriated from the property tax relief fund in  
114 29 2007 Iowa Acts, chapter 218, section 83, and transferred to  
114 30 DPH for the brain injury program that remain unexpended at the  
114 31 close of fiscal year 2007=2008 are to be transferred to the  
114 32 appropriation for the Medicaid program to provide home and  
114 33 community-based waiver slots until the close of the succeeding  
114 34 fiscal year.

114 35 The appropriations made from the IowaCare account in 2007  
115 1 Iowa Acts, chapter 218, section 74, are amended to provide a  
115 2 new appropriation for administrative costs incurred by the  
115 3 publicly owned acute care teaching hospital located in a  
115 4 county with a population over 350,000.

115 5 Appropriations made from the health care trust fund to the  
115 6 department of public health for fiscal year 2007=2008 in 2007  
115 7 Iowa Acts, chapter 218, section 97, for addictive disorders,  
115 8 healthy children and families, and chronic conditions, and to  
115 9 DHS for the state children's health insurance program in  
115 10 section 98, remaining unexpended at the close of the fiscal  
115 11 year may be carried forward to be used in the succeeding  
115 12 fiscal year.

115 13 The division takes effect upon enactment.

115 14 PRIOR YEAR APPROPRIATION CHANGES WITH CONTINGENT  
115 15 APPLICABILITY DATE. This division changes prior year  
115 16 appropriations and is retroactively applicable to December 21,  
115 17 2007, but is contingent upon federal approval of a Medicaid  
115 18 state plan amendment.

115 19 The appropriation made from the general fund of the state  
115 20 in 2007 Iowa Acts, chapter 214, for the state psychiatric  
115 21 hospital is reduced to zero and is replaced by increasing the  
115 22 appropriation made from the general fund of the state for the  
115 23 medical assistance program in 2007 Iowa Acts, chapter 218, and  
115 24 making an allocation for the psychiatric hospital. The  
115 25 medical assistance appropriation is also amended to transfer  
115 26 approximately \$4.5 million to the IowaCare account. In  
115 27 addition, the appropriation made in 2007 Iowa Acts, chapter  
115 28 215, for the salary adjustment fund is amended to reduce the

115 29 appropriation and to reflect that the distribution of salary  
115 30 adjustment moneys for the state psychiatric hospital are  
115 31 reduced to zero.

115 32 The bill also increases the amount appropriated to the  
115 33 state board of regents for the IowaCare program for FY  
115 34 2007=2008, and makes distribution of the amount contingent  
115 35 upon claims adjudicated and approved for payment.

116 1 CODE CHANGES. This division provides miscellaneous Code  
116 2 changes.

116 3 Code section 28.9, relating to the community empowerment  
116 4 fund, is amended to change the name of the community  
116 5 empowerment gifts and grants account within the fund to the  
116 6 first years first account.

116 7 Code section 135.22B, relating to the brain injury services  
116 8 program in DPH, is amended to eliminate the component relating  
116 9 to persons eligible for the Medicaid home and community-based  
116 10 services waiver for persons with brain injury.

116 11 New Code section 135.155 creates the early childhood Iowa  
116 12 council, and includes a purpose and vision statement, provides  
116 13 that the council membership is open to a representative of any  
116 14 organization that touches the lives of young children in the  
116 15 state ages zero through five, authorizes the council to adopt  
116 16 its own procedures, provides for creation of component groups  
116 17 and for a steering committee consisting of the co-chairpersons  
116 18 of the component groups and others, provides for a state  
116 19 agency team to support the activities of the council, and  
116 20 outlines the duties of the council.

116 21 New Code section 135.156 designates the department of  
116 22 public health as the lead agency for the support of the  
116 23 development and integration of an early childhood system for  
116 24 Iowa. The lead agency's duties include working with state  
116 25 agencies to enter into memorandums of understanding outlining  
116 26 the agencies' responsibilities in the system; working with  
116 27 private businesses, foundations, and nonprofit organizations  
116 28 in implementing a public-private partnership to develop and  
116 29 provide funding for the system; and maintaining an internet  
116 30 site for the early childhood Iowa council and its component  
116 31 groups.

116 32 Code section 135H.3, relating to the nature of care  
116 33 provided in a psychiatric medical institution for children, is  
116 34 amended to provide that children requiring treatment for a  
116 35 biologically based mental illness and meeting other criteria  
117 1 are deemed to meet the acuity criteria for inpatient treatment  
117 2 under various health care coverage provisions.

117 3 Code section 217.19, relating to DHS expenses, is amended  
117 4 to require the department of administrative services to work  
117 5 with DHS in order to develop and implement an expense policy  
117 6 for members of boards, commissions, and other bodies so that a  
117 7 person with an income below 150 percent of the federal poverty  
117 8 level may have expenses paid in lieu of reimbursement.

117 9 Code section 237A.13, relating to the child care assistance  
117 10 program, is amended to require DHS, the department of  
117 11 management, and the legislative services agency to jointly  
117 12 arrive at a consensus projection for program expenditures on  
117 13 at least a quarterly basis.

117 14 New Code section 249A.36 relates to behavioral health  
117 15 services provided under the medical assistance (Medicaid)  
117 16 program.

117 17 New Code section 249A.36 provides that beginning May 1,  
117 18 2008, and thereafter, any contract between the department of  
117 19 human services and a third party for behavioral health  
117 20 services under the Medicaid program shall meet certain  
117 21 requirements including: the administrative fee negotiated  
117 22 between the third-party administrator and the department for  
117 23 the services provided by the third-party administrator shall  
117 24 be the entire consideration for all services provided by the  
117 25 third-party administrator; funds that are not used to pay for  
117 26 behavioral health services and any interest earned on such  
117 27 funds shall be remitted to the department within 30 days of  
117 28 receipt or generation of such funds; and if certain conditions  
117 29 are met, a claim for the services provided shall be prima

117 30 facie evidence for the purpose of any appeal. New Code  
117 31 section 249A.36 also directs the department of human services  
117 32 to establish a behavioral health care provider appeals panel,  
117 33 specifies the membership of the panel, provides that the panel  
117 34 shall hear appeals on denials of claims for behavioral health  
117 35 services under the Medicaid program, and provides that a  
118 1 provider or a third-party administrator may appeal the  
118 2 decision of the provider appeals panel to the director of the  
118 3 department, whose decision is final agency action that may be  
118 4 appealed for judicial review by the district court in

118 5 accordance with Code section 17A.19.  
118 6 New Code section 249A.36 requires the department of human  
118 7 services to maintain a separate account for all funds  
118 8 appropriated, allocated, or otherwise available for payment of  
118 9 behavioral health services provided under the Medicaid program  
118 10 and specifies the funds to be deposited in the account and the  
118 11 use of funds in the account.  
118 12 For the purposes of new Code section 249A.36, "behavioral  
118 13 health services" means services provided for the treatment of  
118 14 mental disorders, emotional disorders, and chemical dependency  
118 15 disorders as specified by rule of the department and "mental  
118 16 health professional" means as defined in Code chapter 228.  
118 17 New Code section 249A.36 takes effect upon enactment and is  
118 18 retroactively applicable to May 1, 2008.  
118 19 Code section 249J.23 is amended to allow for payment of the  
118 20 administrative costs for Broadlawns medical center related to  
118 21 IowaCare through the account for health care transformation.  
118 22 This section takes effect upon enactment and is retroactively  
118 23 applicable to July 1, 2005.  
118 24 New Code section 256.35A creates the Iowa autism council in  
118 25 the department of education to advise the state in developing  
118 26 and implementing a system for services to children with autism  
118 27 and to meet the needs of adults with autism.  
118 28 Code section 514I.6 is amended to provide that a  
118 29 participating insurer under the hawk=i program is prohibited  
118 30 from requiring participation by a provider in other health  
118 31 insurance products of the participating insurer as a condition  
118 32 of participation in the qualified child health plan.  
118 33 INDIVIDUAL DEVELOPMENT ACCOUNTS. This division relates to  
118 34 individual development accounts authorized for certain  
118 35 individuals with low income.  
119 1 Under current law in Code chapter 541A, the department of  
119 2 human services administers the accounts through operating  
119 3 organizations who certify the accounts. Account holder  
119 4 deposits may be matched by operating organizations, federal  
119 5 individual development account funding, and state savings  
119 6 refunds providing a state match for the deposits of account  
119 7 holders with family incomes of 200 percent or less of the  
119 8 federal poverty level. The state savings refund amount ranges  
119 9 from 15=25 percent of account holder deposits, depending on  
119 10 income. Interest and earnings on the accounts and the  
119 11 deposits made to an account by others is exempt from state  
119 12 income tax. Withdrawals from an account must be approved by  
119 13 the operating organization for one of the following approved  
119 14 purposes: higher education costs, training programs, purchase  
119 15 of a primary residence or improvements to such residence,  
119 16 capitalization of a small business start-up, or certain  
119 17 emergency medical costs.  
119 18 The bill makes a number of changes to the requirements for  
119 19 individual development accounts. New approved purposes for  
119 20 using the accounts are provided authorizing purchase of an  
119 21 automobile, purchase of assistive technology to assist an  
119 22 account holder or family member with a disability, or for  
119 23 other purposes approved in rule. The maximum amount of  
119 24 deposits of principal to an account is reduced from \$50,000 to  
119 25 \$30,000. Administration of the program is moved from the  
119 26 department of human services to the division of community  
119 27 action agencies of the department of human rights.  
119 28 Requirements for household income determinations and other  
119 29 procedures for the accounts are required to be adopted in rule  
119 30 by the commission on community action agencies. The division  
119 31 of community action agencies is required to utilize a request  
119 32 for proposals process for selection of operating organizations  
119 33 and approval of financial institutions.  
119 34 The division includes a temporary authorization for  
119 35 operation of the accounts in accordance with the rules adopted  
120 1 by the department of human services until replacement rules  
120 2 are adopted. The commission may adopt the replacement rules  
120 3 using emergency procedures which forego public comment and  
120 4 review by the administrative rules review committee.  
120 5 The state savings refund is changed to a state match and is  
120 6 increased to 100 percent of account holder deposits. The  
120 7 current state match limit of a percentage of account holder  
120 8 deposits of up to \$2,000 per calendar year is charged with an  
120 9 overall limit of \$2,000. If funding is available the  
120 10 commission may authorize implementing refugee accounts with  
120 11 withdrawals approved for the special needs of refugee  
120 12 families. Code section 422.7, providing for adjustments to  
120 13 income for purposes of determining net income under the state  
120 14 income tax, is amended to include a reference to state match  
120 15 payments in the exemption provision relating to individual

120 16 development accounts. The provisions of the bill referencing  
120 17 the state match payment are retroactively applicable to  
120 18 January 1, 2008, for the tax year beginning on that date.  
120 19 An individual development account state match fund is  
120 20 created in new Code section 541A.7 with a standing  
120 21 appropriation of any moneys available in the fund to the  
120 22 division for payments of state matches. The division of  
120 23 community action agencies is authorized to revise the match  
120 24 payment provisions as necessary to restrict payments to the  
120 25 funding available. A requirement for the program  
120 26 administrator to work with the federal government and the  
120 27 state's congressional delegation to secure federal tax  
120 28 exemption for the accounts and account earnings and to report  
120 29 annually is repealed. A portion of any appropriations from  
120 30 the fund may be used for administrative costs.  
120 31 This division takes effect upon enactment.  
120 32 LSB 5002JB 82  
120 33 pf/jp/14